

HOUSE CONCURRENT RESOLUTIONS

HOUSE CONCURRENT RESOLUTION NO. 3007
(Legislative Council)
(Interim Committee on Retirement)

POST-RETIREMENT ADJUSTMENT PROGRAM STUDY

A concurrent resolution directing an interim study by the Legislative Council of the feasibility and desirability of providing for comprehensive post-retirement adjustment programs for the Public Employees Retirement System, Teachers' Fund for Retirement, and Highway Patrol retirement program.

WHEREAS, the maintenance of the Public Employees Retirement System, the Teachers' Fund for Retirement, and the Highway Patrol retirement program is the responsibility of the state; and

WHEREAS, the benefits earned by retirees of these pension plans are fixed at the date of retirement; and

WHEREAS, the inflationary trends which characterize the nation's economy deteriorate the purchasing power of these benefits; and

WHEREAS, the Teachers' Fund for Retirement, the Public Employees Retirement System, and the Highway Patrol retirement program do not provide for comprehensive post-retirement adjustments; and

WHEREAS, there appears to be a need to provide retirees dependent upon fixed annuities with a means to protect the purchasing power of benefits received; and

WHEREAS, it is necessary to study and evaluate the need to provide for post-retirement adjustment programs;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is hereby directed to conduct a study of the need and development of comprehensive post-retirement adjustment programs for the Public Employees Retirement System, the Teachers' Fund for Retirement, and the Highway Patrol retirement program; and

BE IT FURTHER RESOLVED, that the study shall include an investigation, measurement, and analysis of the effects inflation has on these public retirement programs' annuity payments, examination of alternatives which address needs for post-retirement adjustments, and consideration of alternative methods to fund programs deemed necessary and appropriate; and

BE IT FURTHER RESOLVED, that the Legislative Council shall make its report and recommendations, accompanied by any necessary legislation to implement such recommendations, to the Forty-seventh Legislative Assembly.

Filed March 5, 1979

HOUSE CONCURRENT RESOLUTION NO. 3008
(Kretschmar)

LEGISLATIVE APPORTIONMENT STUDY

A concurrent resolution directing the Legislative Council to study legislative apportionment.

WHEREAS, the results of the 1980 federal decennial census will be available to state legislatures for apportionment purposes in late 1980; and

WHEREAS, legislative apportionment is a function of the Legislative Assembly; and

WHEREAS, after the 1960 federal census the Legislative Assembly passed legislative apportionment acts in 1963 and 1965, and after the 1970 federal census the Legislative Assembly passed legislative apportionment acts in 1973 and 1975; and

WHEREAS, past actions by the Legislative Assembly with respect to legislative apportionment were nullified by court action or voter rejection; and

WHEREAS, the federal courts have consistently invaded the area of legislative apportionment in North Dakota through court ordered legislative apportionment plans in 1965, 1972, 1974, and 1975; and

WHEREAS, substantial study is required to develop a legislative apportionment plan within constitutional guidelines and without court interference;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to conduct a study of the results of the 1980 federal decennial census for the purpose of recommending a legislative apportionment plan. The study should take into account existing legislative apportionment, constitutionally mandated reapportionment guidelines, and the legislative apportionment factors expressed in North Dakota Century Code Section 54-03-01.5; and

BE IT FURTHER RESOLVED, that the Legislative Council report its recommendations, along with any legislation required to carry out its recommendations, to the Forty-seventh Legislative Assembly.

Filed March 9, 1979

HOUSE CONCURRENT RESOLUTION NO. 3010
(Knudson, Martin)NATIONAL GUARD CAREER EDUCATION
PROGRAM COOPERATION URGED

A concurrent resolution urging school boards to cooperate with the North Dakota National Guard for the Guard Career Education Program.

WHEREAS, North Dakota is the only state which has maintained its personnel strength above 100 percent for its National Guard; and

WHEREAS, the primary responsibility for recruiting and retention of the National Guard is with the respective states and the communities in which units are located; and

WHEREAS, the Legislative Assembly has led the nation by enacting the National Guard Tuition Waiver Act, developing a career education program, and by appropriating funds necessary for a viable recruiting program; and

WHEREAS, the Tuition Waiver Act is an integral part of the comprehensive Guard Career Education Program primarily directed to young men and women who are high school seniors;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-sixth Legislative Assembly urges all school boards in the State of North Dakota to cooperate with the North Dakota National Guard in the Guard Career Education Program; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Superintendent of Public Instruction and to the chairman of each school board within the State of North Dakota.

Filed March 2, 1979

HOUSE CONCURRENT RESOLUTION NO. 3012
(Representative Nicholas)

AGRICULTURAL ADJUSTMENT ACT IMPLEMENTATION URGED

A concurrent resolution requesting full implementation of the Agricultural Adjustment Act of 1949, as amended in 1977, which includes ninety percent of parity loan rates on the major agricultural commodities.

WHEREAS, agriculture is the largest industry in this state and the nation, and the economy of this state and the nation depends on the new wealth provided by the agricultural industry; and

WHEREAS, continued low prices for agricultural commodities have caused farmers to substitute borrowed money for real income, thereby contributing to the high interest rates adversely affecting all the citizens of the United States; and

WHEREAS, selling agricultural commodities overseas at low prices leads to devaluation of the United States dollar because of increasing balance of payment deficits and causes further inflation; and

WHEREAS, when farmers last received prices for their agricultural commodities at or near parity prices, unemployment was low, the inflation rate was low, and the American dollar was sound; and

WHEREAS, the Secretary of Agriculture has discretionary authority to increase price support payments;

WHEREAS, the provision for calling in crops at one hundred ten percent of parity, which is included in the federal loan program, is, in effect, a built-in safeguard for the consumer's protection;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-sixth Legislative Assembly urges the President of the United States and the Secretary of Agriculture to fully implement price supports for agricultural commodities as authorized by the Agricultural Act of 1949, as amended September 29, 1977,

[Pub. L. 95-113, 91 Stat. 940, 7 U.S.C. 1441], which includes ninety percent of parity loan rates on the major agricultural commodities; and

BE IT FURTHER RESOLVED, that the United States trade negotiators insist on minimum commodity prices as a part of the international grains agreement being negotiated in Geneva beginning January 22, 1979; and

BE IT FURTHER RESOLVED, that if the efforts in Geneva are not successful, the United States government negotiate separate minimum selling price agreements with other wheat exporting countries.

Filed February 7, 1979

HOUSE CONCURRENT RESOLUTION NO. 3013
(Peltier)

INCOME TAX COMPUTATION STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of adopting a method of computing state income tax liability by taking a percentage of a taxpayer's federal income tax liability.

WHEREAS, it was the legislative intent to simplify the state income tax laws by adopting the federal definition of taxable income as the starting point for the computation of state income tax by all taxpayers; and

WHEREAS, this attempt at federalizing has become increasingly complicated and burdensome to all taxpayers in the preparation of their state income tax returns because of the continuing enactment of deductions, exemptions, exclusions and adjustments; and

WHEREAS, an effective state income tax law should be clear and simple so as to facilitate administration and competent understanding on the part of all taxpayers; and

WHEREAS, the income tax laws of the state constitute a major source of revenue to the general fund and should stay attuned to the economic and social conditions prevailing at any given time; and

WHEREAS, while the recent enactment of an initiated measure did make adjustments to the income tax rates, it did not address itself to many other inequities existing in the state income tax law;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to study the feasibility and desirability of adopting a method of computing state income tax liability by taking a percentage of a taxpayer's federal income tax liability; and

BE IT FURTHER RESOLVED, that the various agencies and departments of the state government are requested and directed to provide such aid, information, and assistance as the Council, in conducting this study, may reasonably request, and that the Council shall make its report and recommendations, accompanied by any legislation necessary to carry out such recommendations to the Forty-seventh Legislative Assembly.

Filed March 14, 1979

HOUSE CONCURRENT RESOLUTION NO. 3014
(Committee on Employment)

LEGISLATIVE EMPLOYEES

A concurrent resolution providing and designating House and Senate employees and fixing their compensation.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

SECTION 1.) That for and during the Forty-sixth Legislative Assembly the following named persons are employed and appointed as employees of the House and Senate and shall be paid the daily wages opposite their respective names in accordance with their positions as shown below:

<u>HOUSE</u>	
Roy Gilbreath, Chief Clerk	\$70.00
Barbara King, Desk Reporter	65.00
Robert Kniefel, Sergeant-at-Arms	52.50
Del Wawers, Assistant Chief Clerk	57.50
Gladys Derrick, Bill Clerk	52.50
Theola Stetson, Chief Stenographer and Payroll Clerk	52.50
Betty Perkins, Appropriations Committee Clerk	52.50
Kathleen Steidler, Assistant Appropriations Committee Clerk	45.00
Lela Knudsen, Chief Committee Clerk	52.50
Janice Thon, Committee Clerk	47.50
Roberta Rose, Committee Clerk	47.50
Dorothy Johnson, Committee Clerk	47.50
Helen Soma, Committee Clerk	47.50
Roberta Nelson, Committee Clerk	47.50
Mary LaDuke, Committee Clerk	47.50
Barbara Middaugh, Committee Clerk	47.50
Amy Morris, Committee Clerk	47.50
Fran Gronberg, Committee Clerk	47.50
Maude Grambs, Assistant Committee Clerk	45.00
Betty Lou Mitzel, Assistant Committee Clerk	45.00
Craig Sinclair, Calendar Clerk	45.00
Gerry Patchen, Chief Page and Bill Book Clerk	45.00
Janna Tjaden, Desk Page	40.00
Becky Huelskamp, Desk Page	40.00

Dotty Neils, Secretary to the Speaker	52.50
Mavis Patchen, Secretary to the Majority	52.50
Floor Leader	
Arlene Haunson, Secretary to the Minority	52.50
Floor Leader	
Jack Whereatt, Deputy Sergeant-at-Arms	42.50
Phyllis Connolly, Assistant Sergeant-at-Arms	40.00
Tim Dwyer, Assistant Sergeant-at-Arms	40.00
Edgar Beyers, Assistant Sergeant-at-Arms	40.00
David Hillesland, Assistant Sergeant-at-Arms	40.00
Mark Zimmerman, Assistant Sergeant-at-Arms	40.00
Eunice Anderson, Information Desk Attendant	40.00
Al Larson, Chief Journal and Bill Room Clerk	47.50
Evelyn Sholts, Bill Room Clerk	40.00
Hazel Ludeman, Bill Room Clerk	40.00
Selmer Severinson, Bill Room Clerk	40.00
Vida Mae Petersen, Bill Room Clerk	40.00
Neal Schlosser, Journal Room Clerk	40.00
Chuck Zander, Journal Room Clerk	40.00
Sue Mollison, Telephone Page	40.00
Julie Stromberg, Telephone Attendant	40.00
Susie Thompson, Telephone Attendant	40.00
Pat Ness, Telephone Attendant	40.00
Earl Boyd, Parking Lot Attendant	40.00
Sue Feland, Stenographer	42.50
Myrtle Sloan, Stenographer	42.50
Ardith Lippert, Stenographer	42.50
Barb Stickland, Stenographer	42.50
Nancy Turnbow, Stenographer	42.50
Judy Hoffman, Typist	42.50
Alma Opp, Typist	42.50
Renae Doan, Page and Bill Book Clerk	40.00
Laurie Jensen, Page and Bill Book Clerk	40.00
Sandy Gehrke, Page and Bill Book Clerk	40.00
Kristi Rud, Page and Bill Book Clerk	40.00
Debra Rude, Page and Bill Book Clerk	40.00
Cindy Wright, Page and Bill Book Clerk	40.00
Dorothy Duhr, Page and Bill Book Clerk	40.00
Steve Weiler, Page and Bill Book Clerk	40.00
Marsha Huffman, Page and Bill Book Clerk	40.00
Lance Hagen, Page and Bill Book Clerk	40.00
Dennis Bier, Page and Bill Book Clerk	40.00
Brad Scott, Page and Bill Book Clerk	40.00
Rita Wolberg, Page and Bill Book Clerk	40.00
Georgia Seil, Page and Bill Book Clerk	40.00
Dave Harter, Page and Bill Book Clerk	40.00
Hilda Knittel, Journal Proofreader	42.50
Jon Nelson, Journal Proofreader	42.50
Gene Reynolds, Janitor (partial pay only)	28.00
Arnold Schmitt, Janitor (partial pay only)	28.00
Wayne LaCoe, Janitor (partial pay only)	28.00
Melvin Nelson, Janitor (partial pay only)	28.00

<u>SENATE</u>	
Leo Leidholm, Secretary of the Senate	70.00
Doris McMahon, Desk Reporter	65.00
Olgar Sandven, Sergeant-at-Arms	52.50
J. Vernon Asheim, Assistant Secretary of the Senate	57.50
Sandra Boehler, Bill Clerk	52.50
Mary Alice Simonson, Chief Stenographer and Payroll Clerk	52.50
Lyla Flagg, Chief Committee Clerk	52.50
Kari Schultz, Appropriations Committee Clerk	52.50
Debbie Akovenko, Assistant Appropriations Committee Clerk	45.00
Mary Kay Eckroth, Committee Clerk	47.50
Charlotte Kamins, Committee Clerk	47.50
Arlene Reich, Committee Clerk	47.50
Christine Hill, Committee Clerk	47.50
Lorraine Moos, Committee Clerk	47.50
Adeline Montague, Committee Clerk	47.50
Barbara Klein, Committee Clerk	47.50
Alice Mehrer, Committee Clerk	47.50
Pearl Berget, Committee Clerk	47.50
Sharon Giese, Assistant to Committee Clerks	45.00
Stephen Lee, Calendar Clerk	45.00
Ruby Stadick, Chief Page and Bill Book Clerk	45.00
Gina Smith, Chief Desk Page	40.00
Eileen Gerl, Secretary to the President	52.50
Lois Scherr, Secretary to the Majority Floor Leader	52.50
Kathy L. Richau, Secretary to the Minority Floor Leader	52.50
Carl Bjerke, Deputy Sergeant-at-Arms	42.50
Sewall Peterson, Assistant Sergeant-at-Arms	40.00
J. R. Raile, Assistant Sergeant-at-Arms	40.00
O. J. Fuglie, Assistant Sergeant-at-Arms	40.00
Bradley P. Edin, Assistant Sergeant-at-Arms	40.00
Stan Schultz, Assistant Sergeant-at-Arms	40.00
Leatrice Miller, Bill Room Clerk	40.00
Ledores Robey, Bill Room Clerk	40.00
Karla Stanley, Journal Room Clerk	40.00
Skip Sjothun, Journal Room Clerk	40.00
Michelle Igoe, Stenographer	42.50
Melinda Wold, Stenographer	42.50
Mary Schmidt, Stenographer	42.50
Erma Hauglie, Stenographer	42.50
Cheryl Skjeret, Steno-typist	42.50
Esther Davis, Information Desk	40.00
Willia Carlson, Chief Telephone Attendant	42.50
Gayle Skaaden, Telephone Page	40.00
Jeri Kurle, Telephone Attendant	40.00
Mary Ann Brown, Telephone Attendant	40.00
Elaine Stern, Telephone Attendant	40.00
Kelly Whelan, Assistant Desk Page	40.00
John TeBeest, Parking Lot Attendant	40.00
Laurie Leingang, Page	40.00
Rosie Anderson, Page	40.00

Beth Erickson, Page	40.00
Tom Brigl, Page	40.00
Karla Huesers, Page	40.00
Roy Paton, Bill Book Clerk	40.00
Robert Evanenko, Bill Book Clerk	40.00
Barry Streigl, Bill Book Clerk	40.00
Jill Schwede, Journal Proofreader	42.50
Kris Neumann, Journal Proofreader	42.50
Lucas Giesinger, Janitor (partial pay only)	28.00
George Heid, Janitor (partial pay only)	28.00
Steve Larson, Janitor (partial pay only)	28.00
Edwin Keller, Janitor (partial pay only)	28.00

SECTION 2.) In the event any employee shall resign, be discharged, or for other reasons terminate his employment, the compensation provided for in this resolution shall cease, effective the last day of such employment.

Filed January 29, 1979

HOUSE CONCURRENT RESOLUTION NO. 3015
(Unhjem, Eagles, Nicholas, Stenehjem, Swiontek)

HEALTH COST CONTAINMENT STUDY

A concurrent resolution directing the Legislative Council to study public and private cost containment procedures relating to hospitals, clinics, nursing homes, insurance companies providing health care coverage, physicians, dentists, optometrists, podiatrists, and others providing health care services.

WHEREAS, the cost of health services affects the well-being of every person in North Dakota; and

WHEREAS, the manner of controlling the cost of health services in North Dakota has been the subject of substantial debate; and

WHEREAS, a careful study of the desirability and necessity of controls on the costs of health services is a prerequisite to making an informed decision on possible health cost controls;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed and authorized to study the history of the cost of health services in North Dakota and the United States to determine if state controls are necessary; and if controls on health service costs are found necessary, to study the options available for cost containment procedures, both public and private, relating to hospitals, clinics, nursing homes, insurance companies providing health care coverage, including nonprofit hospital, medical, dental, and vision service corporations, physicians, dentists, optometrists, podiatrists, and others providing health care services; and

BE IT FURTHER RESOLVED, that the Legislative Council shall submit its report and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 6, 1979

HOUSE CONCURRENT RESOLUTION NO. 3016
(Committee on Natural Resources)
(At the request of the Water Commission)

FLOODPLAIN MANAGEMENT STUDY

A concurrent resolution directing the Legislative Council to study floodplain management, including the construction of dikes and other devices for flood control regulation.

WHEREAS, recurrent flooding of a portion of the state's land resources causes loss of life, damage to property, disruption of commerce and governmental services, and unsanitary conditions, all of which are detrimental to the health, safety, welfare, and property of the occupants of flooded lands and the people of this state; and

WHEREAS, the public interest necessitates management of floodways in a manner consistent with sound land and water use management practices which will prevent and alleviate flooding threats to life and health, and reduce private and public economic losses; and

WHEREAS, the United States Congress has enacted the National Flood Insurance Act of 1968 [Pub. L. 90-448] and the Flood Disaster Protection Act of 1973 [Pub. L. 93-234], which makes available to flood prone communities and other governmental subdivisions subsidized flood insurance, to provide protection against economic loss caused by flooding, on the condition that certain requirements are satisfied to alleviate the potential for flood damages; and

WHEREAS, the Governor of North Dakota has designated the state water commission as the coordinator to assist local communities and other governmental subdivisions in complying with the above-described federal Acts; and

WHEREAS, failure of a community or other governmental subdivisions to comply with the provisions of the above-described Acts prohibits any individual living therein to secure federal loans or loan guarantees of any kind, construction and development in a floodplain; and

WHEREAS, substantial study is necessary to ensure that floodplain areas are managed in the best interests of floodplain

residents to alleviate the negative effects of flooding to the greatest extent possible.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to conduct a study of the development of a floodway and floodplain management program, taking into account current requirements of related federal legislation; and

BE IT FURTHER RESOLVED, that the Legislative Council report its recommendations, along with any legislation required to carry out its recommendations, to the Forty-seventh Legislative Assembly.

Filed March 7, 1979

HOUSE CONCURRENT RESOLUTION NO. 3017
(Solberg, Wagner)

NATIONAL COMMANDER OF THE VETERANS OF WWI WELCOMED

A concurrent resolution congratulating Floyd E. Henderson on his election as National Commander of the Veterans of World War I of the U.S.A. and welcoming his visit to North Dakota.

WHEREAS, the North Dakota Legislative Assembly is honored by the visit of Floyd E. Henderson, National Commander of the Veterans of World War I of the U.S.A.; and

WHEREAS, his election as National Commander of the Veterans of World War I coincides with the fiftieth anniversary of his election to the North Dakota Legislative Assembly in 1929 as a Representative from Lawton in Ramsey County; and

WHEREAS, Mr. Henderson's election as National Commander is an honor not only for Mr. Henderson but for the State of North Dakota and the North Dakota Legislative Assembly where he formerly served;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-sixth Legislative Assembly congratulates Floyd E. Henderson on his election as National Commander of the Veterans of World War I of the U.S.A. and welcomes his return visit to North Dakota and the North Dakota Legislative Assembly; and

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives present a copy of this resolution to Mr. Floyd E. Henderson.

Filed January 12, 1979

HOUSE CONCURRENT RESOLUTION NO. 3018
(Wentz, Kermott)

PARAPROFESSIONAL MEDICAL PERSONNEL
USE STUDY

A concurrent resolution directing a Legislative Council study of the desirability and feasibility of increased use of paraprofessional medical personnel as a means of lowering the high costs of medical care in North Dakota.

WHEREAS, dramatic and continuing increases are occurring in the cost of North Dakota health care which affect every North Dakota family through increased health insurance rates; and

WHEREAS, hospital costs in particular are rising at an alarming rate; and

WHEREAS, small community hospitals find it difficult to remain in operation due to the high cost of providing medical care; and

WHEREAS, labor costs account for approximately half the expense of operating a hospital; and

WHEREAS, North Dakota is experiencing a shortage of doctors in rural areas of the state;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is hereby directed to conduct a study of all present laws which restrict the use of paraprofessional medical personnel and the desirability and feasibility of the increased use of paraprofessional medical personnel as a means of lowering the high costs of medical care in North Dakota; and

BE IT FURTHER RESOLVED, that the Legislative Council submit its report and recommendations, together with any legislation required to carry out its recommendations, to the Forty-seventh Legislative Assembly.

Filed March 13, 1979

HOUSE CONCURRENT RESOLUTION NO. 3019
(Conmy, Black, Koski, Martinson)

MOBILE HOME PROPERTY LAW STUDY

A concurrent resolution directing a Legislative Council study of the real property laws of North Dakota, particularly with respect to those laws affecting mobile home ownership, and the laws relating to the taxation of mobile homes.

WHEREAS, mobile home owners pay sales tax on the labor costs of a mobile home as contrasted with the conventional site-built homeowner who does not pay sales tax on labor costs attributable to site-built housing; and

WHEREAS, the real property laws of this state apply to a large range of real property interests, both ownership and leasehold; and

WHEREAS, mobile homes are becoming increasingly popular as housing for North Dakotans; and

WHEREAS, many aspects of mobile home ownership may differ substantially from the ownership of other types of real property, especially with regard to landlord-tenant-relationships; and

WHEREAS, it appears that many aspects of mobile home ownership may not be properly addressed by present laws; and

WHEREAS, it appears that a thorough study is needed to determine the needs of mobile home owners and whether these needs are presently being met by North Dakota's real property and tax laws;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is hereby authorized and directed to conduct a study of the real property and tax laws of this state to determine whether these laws meet the needs of mobile home owners; and

BE IT FURTHER RESOLVED, that the Legislative Council submit its report and recommendations, together with any legislation required to implement such recommendations to the forty-seventh legislative assembly.

Filed March 9, 1979

HOUSE CONCURRENT RESOLUTION NO. 3020
(Richard, Fleming, R. Hausauer, Timm, Winkjer)

65 MILES PER HOUR SPEED LIMIT URGED

A concurrent resolution urging the United States Congress to allow speed limits greater than 55 miles per hour in sparsely populated areas.

WHEREAS, a 55 mile per hour speed limit improves the chances of highway hypnosis; and

WHEREAS, it is a hardship for those traveling long distances to be restricted to a 55 mile per hour speed limit; and

WHEREAS, the 55 mile per hour speed limit does not provide for significant fuel savings; and

WHEREAS, lower speed limits can be provided for those portions of highways which are unsafe, thereby minimizing the unsafe aspects of increased speed limits;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-sixth North Dakota Legislative Assembly urge the Congress of the United States to take immediate action to amend the Emergency Highway Energy Conservation Act [Pub. L. 93-643, 23 U.S.C. 154] to allow states with population densities of under 60 people per square mile to set speed limits at a maximum of 65 miles per hour; and

BE IT FURTHER RESOLVED, that copies of the resolution be forwarded by the Secretary of State to the North Dakota Congressional Delegation, the United States Secretary of Transportation, and to the Speaker of the House of each state of the United States which has a population density of under 60 people per square mile; and

BE IT FURTHER RESOLVED, that these states are urged to adopt similar resolutions and to send copies to their respective congressional delegations.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3021
(A. Hausauer)

HEALTH CARE SERVICES STUDY

A concurrent resolution directing the Legislative Council to study the provision of health care services in North Dakota.

WHEREAS, the citizens of North Dakota have demonstrated concern over the provision of health care services in this state; and

WHEREAS, much of this concern is directed at the increasing costs of health care services; and

WHEREAS, citizens of North Dakota have indicated a desire for quality health care; and

WHEREAS, it appears that a combined effort by government, health care providers, and the insurance industry may be necessary to continue to provide the people of North Dakota with quality health care at affordable prices; and

WHEREAS, it appears that a thorough study of the provision of health care services would define existing problems and offer potential solutions;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to conduct a study of the provision of health care services in North Dakota; and

BE IT FURTHER RESOLVED, that the study shall include consideration of the following:

1. The development of incentives for the medical care industry which will allow it flexibility in continuing to deliver quality medical care while at the same time effectively addressing issues of total cost containment;
2. Maximization of local control within health care facilities, giving hospital and long-term care

administrators and medical staffs the broadest possible scope of action within a framework that makes them conscious of cost;

3. Continuation and expansion of capital expenditure and service controls under the state certificate of need law;
4. Continuation and possible expansion of medical care facilities costs and quality assurance reviews;
5. "Medicare" and "medicaid" reimbursement mechanisms as they relate to hospitals and long-term care facilities;
6. Uniform accounting and reporting principles;
7. Prospective budget and rate review; and
8. Collection of appropriate utilization statistics; and

BE IT FURTHER RESOLVED, that the Legislative Council may appoint citizen members who may be health care providers to the interim committee assigned to conduct the study; and

BE IT FURTHER RESOLVED, that the Legislative Council may utilize consulting services in conducting the study; and

BE IT FURTHER RESOLVED, that the Legislative Council shall make its report and recommendations, together with any legislation necessary to implement such recommendations, to the Forty-seventh Legislative Assembly.

Filed March 20, 1979

HOUSE CONCURRENT RESOLUTION NO. 3022
(Representatives Berg, Weber, Wessman)
(Senators Thane, Fritzell, Nelson)

WATER MANAGEMENT STUDY

A concurrent resolution directing the Legislative Council to study and review the powers, duties, and jurisdictional boundaries of water management districts and legal drain boards.

WHEREAS, the Legislative Assembly has adopted the policy that extensive water management powers and responsibilities at the local level are necessary ingredients in providing for effective and efficient management of the water resources of the State of North Dakota; and

WHEREAS, this legislative policy has been given effect by the creation of water management districts, pursuant to chapter 61-16 of the North Dakota Century Code, and the creation of legal drain boards, pursuant to chapter 61-21 of the North Dakota Century Code. Water management districts have been vested with extensive authority for the development, control, and regulation of the water resources of this state. Legal drain boards have been vested with extensive authority to construct drainage projects; and

WHEREAS, the jurisdictional boundaries of water management districts and legal drain boards are generally established along artificial county lines; and

WHEREAS, water management problems totally ignore artificially established boundaries, and water-related activities which have a benefit in one water management district may have adverse impacts in another water management district; and

WHEREAS, water management districts and legal drain boards are vested with certain similar powers and authorities within the same jurisdictional area, resulting in duplication and uncoordinated efforts in addressing water management problems; and

WHEREAS, these factors tend to inhibit the coordinated and most effective solutions to water management problems;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is hereby directed and authorized to conduct an interim study on the powers, duties, and jurisdictional boundaries of water management districts and legal drain boards. The objective of such study shall be to determine the most effective and efficient method to provide for the management of the water resources of this state at the local level; and

BE IT FURTHER RESOLVED, that the Legislative Council shall conduct the study with the cooperation and assistance of the State Water Commission, the State Engineer, the North Dakota Water Management Districts Association, the Red River Valley Joint Board, and any other federal, state, or local entity which may provide assistance; and

BE IT FURTHER RESOLVED, that the Legislative Council shall make its report and recommendations, together with any legislation required to carry out such recommendations, to the Forty-seventh Legislative Assembly.

Filed March 8, 1979

HOUSE CONCURRENT RESOLUTION NO. 3023
(Peltier, Koski)

EMERGENCY VEHICLE EQUIPMENT STUDY

A concurrent resolution directing the Legislative Council to study the appropriate sections of the North Dakota Century Code which relate to the operation of emergency vehicles, and lighting systems and other equipment emergency vehicles are authorized to use, with emphasis on the assignment of the responsibility for adopting rules, and requiring specific training and equipment, for safe operation of emergency vehicles.

WHEREAS, there exists a continual demand for the use of emergency vehicles and equipment which makes them different from other motor vehicles; and

WHEREAS, emergency vehicles are needed to serve the citizens of this state; and

WHEREAS, the responsibility for adopting rules and requiring specific training and equipment for the safe operation of emergency vehicles is not presently provided for, and a need exists to assign the responsibility;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to study the equipment, operation, and regulation of motor vehicles and the appropriate sections of the North Dakota Century Code relating to the operation of emergency vehicles, and the lighting systems and other equipment emergency vehicles are authorized to use, with emphasis on the assignment of the responsibility for adopting rules, and requiring specific training and equipment, for the safe operation of emergency vehicles; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement such recommendations, to the Forty-seventh Legislative Assembly.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3024
(Representatives Strinden, Martinson)
(Senator Tennesos)

REPUBLIC OF CHINA DIPLOMATIC RELATIONS URGED

A concurrent resolution urging the President and Congress to maintain diplomatic relations and uphold treaty obligations with the Republic of China - Taiwan.

WHEREAS, the Republic of China - Taiwan was a founding member of the United Nations and has always been a law-abiding member of the community of nations; and

WHEREAS, the Republic of China - Taiwan has been a friend and ally of the United States through the years; and

WHEREAS, the Republic of China - Taiwan is of great strategic importance in the defense of East Asia and the Pacific and has always utilized its military power in the interests of the free world; and

WHEREAS, the people of the Republic of China - Taiwan have built a successful, prosperous, and free economy and serve as an important trading partner of the American people; and

WHEREAS, the Republic of China - Taiwan is important to the economy of the United States and the State of North Dakota as indicated by its Third Special Procurement Mission to North Dakota which resulted in the direct purchase of 150,000 metric tons of spring wheat and 52,000 metric tons of feed barley;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-sixth Legislative Assembly urges the President and Congress to maintain diplomatic relations with the Republic of China - Taiwan and to uphold the Mutual Defense Treaty with the Republic of China - Taiwan; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the President, the Secretary of State of the United States, the Consul General of the Republic of China in Kansas City, Missouri, and to each member of the North Dakota Congressional Delegation.

Filed March 6, 1979

HOUSE CONCURRENT RESOLUTION NO. 3027
(Representative Peltier)
(Senator Jones)

AGRICULTURAL PROMOTION ENTITIES STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the membership of agricultural product promotion entities in North Dakota.

WHEREAS, the production, development, marketing, and promotion of agricultural products in the state is important to the general welfare of the people of the state; and

WHEREAS, there are at least eight separate agricultural product promotion entities established by state law; and

WHEREAS, these entities include elected state officials, divisions within the departments of elected state officials, elected agricultural product promotion boards, and appointed agricultural product promotion boards; and

WHEREAS, such fragmentation in determining the entities responsible for agricultural product promotion may result in duplicative election procedures and lack of adequate input in appointment procedures; and

WHEREAS, the membership of agricultural product promotion councils and commissions should be reviewed to determine whether coordination of election or appointment procedures among those groups is feasible; and

WHEREAS, the membership of agricultural product promotion councils and commissions should be reviewed to determine if membership reflects the segment of the agricultural economy which is represented by that entity;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to conduct a study of the state established entities promoting agricultural products. The study should include consideration of the methods of election and appointment to the entities responsible for agricultural product

promotion, consideration of the feasibility of coordinating elections among the agricultural product promotion entities, consideration of whether the governing bodies of agricultural product promotion entities reflect the segment of the agricultural economy being promoted, consideration of whether any agricultural product promotion council or commission should be expanded to include other segments of the economy not now represented on or promoted by the council or commission, and consideration of the terms of office of the members of the councils and commissions, and consideration of how best to provide for those producers who do not wish to participate; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3028
(Gackle)

FINANCIAL ASSOCIATION TAX LAW STUDY

A concurrent resolution directing the Legislative Council to study the tax laws of this state as they affect financial institutions such as banks and trust companies, building and loan associations, insurance companies, and credit unions.

WHEREAS, the tax laws of this state should be continuously reviewed and amended in order to stay attuned to the economic and social conditions prevailing at any given time; and

WHEREAS, the annual tax imposed on banks and trust companies pursuant to the provisions of chapter 57-35 of the North Dakota Century Code, has not been thoroughly analyzed since its enactment in 1941; and

WHEREAS, the annual tax imposed on building and loan associations pursuant to the provisions of chapter 57-35.1 of the North Dakota Century Code, has not been thoroughly analyzed since its enactment in 1961; and

WHEREAS, the annual tax imposed on banks, trust companies, and building and loan associations pursuant to the provisions of chapter 57-35.2 of the North Dakota Century Code, has not been thoroughly analyzed since its enactment in 1969; and

WHEREAS, the annual tax imposed on insurance companies pursuant to the provisions of chapter 26-01 of the North Dakota Century Code, has not been thoroughly analyzed since its enactment in 1897; and

WHEREAS, the exemption from taxation granted credit unions pursuant to the provisions of chapter 6-06 of the North Dakota Century Code, has not been thoroughly analyzed since its enactment in 1935; and

WHEREAS, the exemptions from income tax granted to certain financial institutions pursuant to the provisions of chapter 57-38 of the North Dakota Century Code, have not been thoroughly analyzed since their enactment in 1923; and

WHEREAS, the federal government and the revenue departments of several states in recent years have reexamined their positions and adopted new methods for taxation of financial institutions so as to more fairly and equitably tax such institutions in comparison to other taxpayers; and

WHEREAS, considerable time has elapsed since the legislature last addressed itself to the imposition of taxes on financial institutions as an industry;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to study the tax laws of the State of North Dakota as they apply to financial institutions, including banks and trust companies, building and loan associations, insurance companies and credit unions; and

BE IT FURTHER RESOLVED, that the state tax commissioner, the state insurance commissioner, the state banking board, the state examiner, and the state credit union board, and the persons in their employ, are requested and directed to provide such aid, information, and assistance as the Council, in conducting this study, may reasonably request, and the Council shall make its report and recommendations, accompanied by any legislation necessary to carry out such recommendations to the Forty-seventh Legislative Assembly.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3030
(Vig, Reed)

UNIFORM DEFINITION OF VETERAN URGED

A concurrent resolution urging Congress to develop a uniform definition of the term "veteran" for all federal programs relating to veterans.

WHEREAS, Congress has provided many benefits for veterans of the military service; and

WHEREAS, these benefits are codified in various places in federal statutes, rules, and regulations; and

WHEREAS, the term "veteran" is defined differently for purposes of qualifying for many of these benefits; and

WHEREAS, this multiplicity of definitions causes problems both for those administering and for those attempting to qualify for these benefits; and

WHEREAS, much of the confusion could be alleviated by the use of a single definition for the term "veteran";

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Congress of the United States adopt a single, uniform, definition of the term "veteran" as follows:

A person who served in the active military, naval, or air service, for a period of more than 180 days, and who was discharged or released therefrom with other than a dishonorable discharge, or a person who served in the active military, naval, or air service for a period of less than 181 days, who was discharged as a result of a reduction of staffing in the military forces, or was discharged due to a disability resulting from a disease or injury incurred or aggravated in line of active duty, or during a period of inactive duty, as shown on Form DD-214 or other official document.

BE IT FURTHER RESOLVED, that this definition of the term "veteran" be used to determine those who qualify for all benefits provided by the federal government based upon past military service; and

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted by the Secretary of State to the Chairmen of the United States Senate and House Committees on Veterans Affairs, and the North Dakota Congressional Delegation.

Filed March 5, 1979

HOUSE CONCURRENT RESOLUTION NO. 3031
(Representatives Crabtree, Erickson)
(Senator Smykowski)

RAILROAD ASSISTANCE URGED

A concurrent resolution urging the President and Congress to provide assistance to railroads linking agricultural areas and urban market areas of the nation.

WHEREAS, Congress has enacted the Regional Rail Reorganization Act of 1973 and the Railroad Revitalization and Regulatory Reform Act of 1976; and

WHEREAS, the Regional Rail Reorganization Act of 1973 completely failed to address the rail service problems of the great plains states; and

WHEREAS, the Railroad Revitalization and Regulatory Reform Act of 1976 has failed to adequately deal with the problem of railroad line abandonment, especially in those places where rail service is vital to the delivery of fuel for energy generation;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-sixth Legislative Assembly urges the President of the United States and the United States Congress to provide appropriate assistance to those railroads serving as a vital link between agricultural areas in the great plains states and the urban marketplaces; and

BE IT FURTHER RESOLVED, that the Forty-sixth Legislative Assembly urges the President of the United States and the United States Congress to provide assistance to railroads to preclude further abandonment of branch rail lines, especially in those areas where such rail service is vital to the delivering of fuel for energy generation; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Interstate Commerce Commission, the North Dakota Public Service Commission, and each member of the North Dakota Congressional Delegation.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3032
(Martinson, Kermott, Lee, Pomeroy)

JUDICIAL RETIREMENT STUDY

A concurrent resolution directing a study by the Legislative Council to review the equity and adequacy of retirement provisions for supreme court and district court judges.

WHEREAS, equity is an essential characteristic of a retirement program for all categories of public officials; and

WHEREAS, judges constitute a unique resource to North Dakota public service to which service the public seeks to attract the highest quality judicial personnel; and

WHEREAS, there has been substantial discussion concerning the adequacy and equity of the present retirement provision for supreme court and district court judges and the impact of these provisions on the future quality of judicial personnel; and

WHEREAS, a thorough study should be made of the adequacy and equity in the present retirement provisions for supreme court and district court judges;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is hereby directed to carry out a study of the adequacy and equity of the present statutes, funding, and benefits provided by the present retirement provisions for supreme court and district court judges, and to determine the desirability and feasibility of altering that system, and to make such other recommendations as the results of the study may indicate are necessary. In conducting this study, the Council shall include on its committee one person representing the general public, and one person representing the judiciary. The Judicial Council of the State of North Dakota is hereby requested to render such aid, information, and assistance to the Legislative Council in the carrying out of this study as may be reasonable and necessary. The Legislative Council shall report its findings and recommendations, along with legislative measures necessary to implement them, to the Forty-seventh Legislative Assembly.

Filed March 12, 1979

HOUSE CONCURRENT RESOLUTION NO. 3033
(Strinden, Backes, Kretschmar, Mushik)

NORTHERN TIER PIPELINE SUPPORTED

A concurrent resolution in support of Northern Tier Pipeline.

WHEREAS, the various crude oil refineries in the Northern Tier States of Washington, Oregon, Idaho, Montana, North Dakota, Minnesota, Michigan, Wisconsin, Illinois, Indiana, and Ohio are at a critical need for further supplies of crude oil in order to provide petroleum products for the people of the Northern Tier States, and in particular for the use in agricultural production in these states; and

WHEREAS, recent Canadian and foreign developments have disrupted and reduced normal supplies of crude oil in said Northern Tier States; and

WHEREAS, the Congress of the United States by Public Law 93-154 dated November 16, 1973, has declared that the crude oil on the North Slope of Alaska is an important part of the nation's oil resources, and that the benefits of such crude oil should be equitably shared, directly or indirectly, by all regions of the country;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-sixth Legislative Assembly urges the North Dakota Public Service Commission and all other state agencies and political subdivisions with statutory responsibility pertinent thereto, to expedite to the fullest practicable extent all applications and requests for action made with respect to the oil delivery system embodied in the plans of Northern Tier Pipeline Company.

Filed March 8, 1979

HOUSE CONCURRENT RESOLUTION NO. 3035
(Representative Strinden)
(Senator Nething)

INDIAN TRIBAL AND STATE GOVERNMENT RELATIONSHIP STUDY

A concurrent resolution directing a Legislative Council study of the relationship between American Indian tribal governments and North Dakota state government.

WHEREAS, American Indians have a special relationship with the states under the United States Constitution and treaties which have been concluded between the Indian tribes and the federal government; and

WHEREAS, the interrelationships between tribal, state, and federal governments are unique in the federal system; and

WHEREAS, there are unanswered questions concerning the jurisdiction of the State of North Dakota as concerns the residents of Indian reservations within this state and the provision of state services on the reservations; and

WHEREAS, although there have been studies of specific problems, the last comprehensive legislative study concerning the relationships between the State of North Dakota and its Indian citizens was conducted during the 1961-63 interim;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is hereby directed to conduct a comprehensive study of the role of the Legislative Assembly in relation to the economic and social aspects of Indian intergovernmental matters, and the relationships between the American Indian tribal governments and the State of North Dakota, including questions of the jurisdictional authority of the state on Indian reservations and the role of the state in providing services to the Indian people. The study shall also include a review of the role of the federal government in these relationships and services, the role of the Indian Affairs Commission in state government and in providing services to the tribal governments and to the Indian people, and a review of the potential for economic development and job creation on Indian reservations and for Indian people. In

conducting this study, the Council shall include in its study two North Dakota citizens of Indian descent; and

BE IT FURTHER RESOLVED, that the Legislative Council shall make its report and recommendations, accompanied by any necessary legislation to implement such recommendations, to the Forty-seventh Legislative Assembly.

Filed March 12, 1979

HOUSE CONCURRENT RESOLUTION NO. 3038
(Olson, Solberg, Unhjem)

**FORGOTTEN CRIME VICTIMS WEEK
PROCLAMATION URGED**

A concurrent resolution urging North Dakota Governor Arthur A. Link to proclaim a "North Dakota Forgotten Victims of Crime Week".

WHEREAS, there has been insufficient attention to the rights of victims and witnesses in our society; and

WHEREAS, it is the duty of all citizens and institutions to play positive roles in improving the plight of victims of violent crime and their survivors and to restore effectiveness to the administration of criminal justice; and

WHEREAS, better reporting of crime and greater willingness of persons to testify are essential to the control of crime and the improvement of justice; and

WHEREAS, creating a better understanding of the rights of victims and witnesses and the nature of our criminal justice system will help to achieve the goals of crime reduction, and the restoration of fairness and effectiveness to the administration of criminal justice;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-sixth Legislative Assembly urges the Honorable Arthur A. Link, governor of the State of North Dakota, to officially proclaim a "North Dakota Forgotten Victims of Crime Week"; and

BE IT FURTHER RESOLVED, that the Honorable Allen I. Olson, attorney general of the State of North Dakota, in cooperation with the state's attorneys of the State of North Dakota, be encouraged to observe "North Dakota Forgotten Victims of Crime Week" with public education programs to develop dialogue, promote understanding, and create an environment in which crime victims and witnesses may again receive the justice and fair play to which they are entitled.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3042
(Representatives Richard, A. Hausauer, Solberg, Winkjer)
(Senator Krauter)

SEVERED MINERAL INTEREST STUDY

A concurrent resolution directing the Legislative Council to conduct a study of severed mineral interests in North Dakota.

WHEREAS, severance of mineral and surface estates has become a widespread practice in North Dakota; and

WHEREAS, the ownership of many mineral estates is becoming more obscure and fractionalized with the passage of time; and

WHEREAS, the development of mineral interests is impaired because of this fractionalization; and

WHEREAS, mineral interests, although not exempt from taxation, are rarely assessed for tax purposes because the cost to the county of determining ownership appears to be prohibitive; and

WHEREAS, the owner of the surface estate often must update the mineral estate abstract at substantial cost if he wishes to update the surface estate abstract; and

WHEREAS, no method presently exists whereby severed mineral interests may be readily identified for purposes of development and taxation;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is hereby directed to conduct a study of ownership, transfer, and taxation of severed mineral interests in North Dakota, and the construction and improvement of real estate interests from which the subsurface has been severed and security interests relative thereto; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 9, 1979

HOUSE CONCURRENT RESOLUTION NO. 3043
(Lardy, R. Hausauer, Solberg)

STATE COMPUTER USE STUDY

A concurrent resolution directing the Legislative Council to study state agency and department use of computers.

WHEREAS, it has been over 10 years since the North Dakota Legislative Assembly created the Department of Central Data Processing within the Department of Accounts and Purchases; and

WHEREAS, the initial appropriation to establish the Central Data Processing Department for the 1969-71 biennium was \$1.9 million compared to a request of \$7.9 million for the operation of the department for the next biennium; and

WHEREAS, computer science today reflects a changing technology, including use of microprocessors and advanced data storage and data transmission capabilities; and

WHEREAS, hardware costs are decreasing and personnel and communications costs are increasing; and

WHEREAS, present law which requires the centralization of personnel and equipment within one Central Data Processing Department may no longer be the most economical and efficient way to provide data processing services to state departments and agencies;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is hereby directed and authorized to conduct a comprehensive study of the Central Data Processing Department to determine whether it is providing data processing services to state agencies and departments in the most effective and efficient manner possible; and

BE IT FURTHER RESOLVED, that the Legislative Council review the law relating to state data processing services to determine whether changes are necessary to provide needed data processing services in the most effective and efficient manner possible to state departments and agencies; and

BE IT FURTHER RESOLVED, that the Legislative Council contract for professional services from a firm recognized for its experience and capability in reviewing and making recommendations regarding large data processing systems; and

BE IT FURTHER RESOLVED, that all state agencies and departments shall provide such information and services as may be requested by the Legislative Council while conducting this study; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 12, 1979

HOUSE CONCURRENT RESOLUTION NO. 3044
(Mertens)

PHYSICALLY HANDICAPPED CARE STUDY

A concurrent resolution directing the Legislative Council to study the adequacy of community-based residential facilities and care for physically handicapped young adults in North Dakota and to clarify the respective responsibilities of state and local agencies involved in the provision of residential care, treatment, supervision, and related services, and, when necessary, protection to physically handicapped young adults.

WHEREAS, it is the intent of the Legislative Assembly that insofar as is possible North Dakota's handicapped young adults not be forced to leave their home state and the close proximity they have with their families in order to find the necessary care for their bodily and emotional needs; and

WHEREAS, care and services should be provided within the state under the least restrictive conditions necessary to achieve a high level of treatment and rehabilitation for the physical, mental, and emotional needs of handicapped young adults; and

WHEREAS, many handicapped young adults remain in their homes with aging parents because no other adequate facilities are available to them in this state; and

WHEREAS, many handicapped young adults are forced to enter long-term care facilities, primarily designed for the elderly, where many times they are not wanted and the programs implemented are for the aged and not the handicapped young adult; and

WHEREAS, the unique and distinct needs of physically handicapped young adults coupled with the lack of adequate facilities available to them often results in multiple placements within very short periods of time; and

WHEREAS, the state and local agencies involved in residential and community programs for physically handicapped young adults, including the Department of Social Service, Vocational Rehabilitation Division, the Department of Public Instruction, Vocational Education Division, the Division of Mental Health and

Retardation, and many other charitable groups, agencies, and associations, do not function under an adequate comprehensive multidisciplinary plan or approach in the provision of the necessary care and services for physically handicapped young adults of this state;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to conduct a comprehensive study of the needs of physically handicapped young adults in this state, to include the transitional needs of individuals leaving protective environments, the residential needs of the physically handicapped vocationally educable young adult, the residential needs for persons attending sheltered workshops, transportation needs for college and vocationally able physically handicapped young adults, recognition of the psychological and emotional needs of physically handicapped young adults and how they differ from other segments of the population, architectural barriers to free physical environments, and clarification of the respective responsibilities of the various state and local agencies involved in the provision of residential care, treatment, supervision, related services, and, when necessary, protection to physically handicapped young adults; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement its recommendations, to the Forty-seventh Legislative Assembly.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3045
(Representatives Unhjem, Hoffner, Stenehjem)
(Senator Peterson)

HEALTH INSURANCE STUDY

A concurrent resolution directing the Legislative Council to study catastrophic illness programs, minimum benefits in health insurance, and the uninsurable pooled risks concept.

WHEREAS, the quality and cost of health services affects the well-being of every person in North Dakota; and

WHEREAS, the manner of controlling the quality and cost of health services in North Dakota has been the subject of substantial debate; and

WHEREAS, there is a potential for catastrophic illness programs, a minimum benefits law, and an uninsurable pooled risks group program to provide more adequate health care to the citizens of North Dakota; and

WHEREAS, a careful study of the desirability and necessity of catastrophic illness programs, minimum benefits in health insurance, and an uninsurable pooled risks group program would assist in making informed decisions on the quality and costs of health care;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed and authorized to study the desirability and necessity of implementing catastrophic illness programs, a minimum benefits law, and an uninsurable pooled risks group program; and

BE IT FURTHER RESOLVED, that the Legislative Council shall submit its report and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 13, 1979

HOUSE CONCURRENT RESOLUTION NO. 3046
(Strinden)

STATE EMPLOYEE SICK LEAVE STUDY

A concurrent resolution directing a Legislative Council study of the alternatives available for the accumulation of sick leave by state employees.

WHEREAS, state employees are currently allowed to accumulate sick leave during the term of their employment with the state; and

WHEREAS, upon termination of such employment, the employee must either use this accumulated leave or lose it under the current policy; and

WHEREAS, this policy might lead some employees to improperly use this leave to the ultimate detriment of the state; and

WHEREAS, many states either have or are studying alternatives to this type of policy;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council be directed to conduct a study of the feasibility of adopting alternative methods of treating the accumulated sick leave of state employees; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 12, 1979

HOUSE CONCURRENT RESOLUTION NO. 3048
(Strinden)

MENTAL HEALTH AND SOCIAL SERVICE CENTER
COLLOCATION STUDY

A concurrent resolution directing a Legislative Council study to monitor the collocation of comprehensive mental health and area social service centers.

WHEREAS, the Legislative Assembly has directed the Social Service Board and State Department of Health to collocate area social service centers and comprehensive mental health centers in each region by July 1, 1981; and

WHEREAS, the collocation of area social service and comprehensive mental health centers in one location will improve human services to North Dakotans needing help; and

WHEREAS, to the extent possible the bringing together under one roof of the various center components will substantially improve the human service delivery system in North Dakota; and

WHEREAS, the Legislative Assembly has encouraged the development of human service centers and the collocation of human service activities because of Legislative Council study recommendations during the last decade; and

WHEREAS, the Legislative Council can encourage and advise the state departments and centers as they begin the collocation process;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council, through its Budget Section or other budget-related committee, monitor the efforts of the State Social Service Board, the State Department of Health, area social service centers, and comprehensive mental health centers during the 1979-81 biennium as they and other human service agencies undertake the process of collocation as directed by the Forty-sixth Legislative Assembly; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 20, 1979

HOUSE CONCURRENT RESOLUTION NO. 3050
(Kingsbury)

FIRE INSURANCE PREMIUM TAX STUDY

A concurrent resolution directing a Legislative Council study of the fire insurance premium tax.

WHEREAS, a fire insurance premium tax is levied based upon the amount of all premiums paid in the state for fire, allied lines, homeowner's multiple peril, and commercial multiple peril insurance; and

WHEREAS, a continuing appropriation of such tax funds is made each year to cities, townships, and fire protection districts under Chapter 18-04 of the North Dakota Century Code; and

WHEREAS, a supplemental appropriation had to be requested by the Insurance Department to complete the amount for the current biennium; and

WHEREAS, a city not within the boundaries of a fire protection district receives a yearly sum equal to two and one-quarter percent of the premiums on property in that city plus an additional one hundred dollars for performing services outside its incorporated limits; and

WHEREAS, a city auditor in a city having a paid fire department and a firemen's relief association apportions one-half of the funds received to maintaining the fire department and one-half to the firemen's relief association; and

WHEREAS, a city auditor in a city not having a paid fire department pays over the entire sum to the fire department; and

WHEREAS, the present allocation formula should be improved to reflect current fire department needs in North Dakota; and

WHEREAS, the present formula may require unnecessary reporting procedures on the part of insurance companies; and

WHEREAS, the amount allocated in accordance with the present formula may be inadequate when compared to the local needs for fire protection assistance;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council, through the Budget Section or one of its committees, is authorized and directed to conduct a study of the fire insurance premium tax distribution to the political subdivisions, the desirability of improvements in the distribution formula, and whether the distribution should be pursuant to a specific general fund appropriation or a special fund distribution; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 22, 1979

HOUSE CONCURRENT RESOLUTION NO. 3051
(Representatives Kretschmar, Vander Vorst)
(Senator Naaden)

FARMERS HOME ADMINISTRATION COUNTY OFFICES URGED

A concurrent resolution urging Congress to maintain Farmers Home Administration county offices in North Dakota.

WHEREAS, the Farmers Home Administration (FmHA) has provided and continues to provide credit and services to North Dakota's agricultural community, especially young farmers and those unable to obtain credit through other lending institutions; and

WHEREAS, total FmHA loans in North Dakota for fiscal year 1978 were \$325 million of which \$249 million was loaned for rural farm programs; and

WHEREAS, local services provided by the FmHA and contact with present and potential borrowers should be maintained; and

WHEREAS, the FmHA county offices may be transferred to a new Department of Development Assistance proposed by White House planners; and

WHEREAS, transfer of the administration's county offices could make the agency less responsive to the needs of North Dakota;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-sixth Legislative Assembly urges the United States Congress to maintain Farmers Home Administration county offices in North Dakota; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Secretary of the Department of Agriculture and to the North Dakota Congressional Delegation.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3052
(Representatives Rued, A. Hausauer)
(Senator Lips)

COMPARATIVE NEGLIGENCE STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the doctrine of comparative negligence and other related areas.

WHEREAS, in 1973 the Forty-third Legislative Assembly statutorily adopted the doctrine of comparative negligence, as found in Section 9-10-07 of the North Dakota Century Code; and

WHEREAS, the adoption of the doctrine of comparative negligence has abrogated the affirmative defenses of contributory negligence and assumption of risk and has affected a number of other principles of tort law, including contribution among joint tortfeasors and the doctrine of last clear chance; and

WHEREAS, the Supreme Court of North Dakota has held that the enactment of Section 9-10-07 has impliedly repealed several other provisions of law; and

WHEREAS, these changes have had and will continue to have a great impact on a large number of civil actions based on the theory of negligence;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council be directed to conduct a study of the doctrine of comparative negligence as adopted by the Forty-third Legislative Assembly, to include the effect the doctrine has had in its application by the courts, and the possibility of modifying or repealing the doctrine; and

BE IT FURTHER RESOLVED, that the Legislative Council shall make its report and recommendations, accompanied by any necessary legislation to implement such recommendations, to the Forty-seventh Legislative Assembly.

Filed March 13, 1979

HOUSE CONCURRENT RESOLUTION NO. 3054
(Berg, Nicholas)

WATER SALE TAXATION STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the taxation of sales of water in North Dakota.

WHEREAS, water is necessary to sustain not only commercial, industrial, and agricultural activities, but also life itself; and

WHEREAS, presently sales of water for commercial, industrial, and residential purposes are taxed; and

WHEREAS, sales of water by rural water systems are presently taxed; and

WHEREAS, sales of bottled water, whether or not prescribed by physician, are presently taxed; and

WHEREAS, water obtained from private wells is not taxed; and

WHEREAS, a thorough study is necessary to determine the effect of taxation on sales of water and on water use;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to study taxation, and the effects of taxation, of sales of water, including the question of whether any particular exemptions are appropriate; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3055
(Representatives Nicholas, Meyer, Rued)
(Senators Peterson, Reiten)

NONPROFIT HEALTH SERVICE BOARDS MEMBERSHIP STUDY

A concurrent resolution directing the Legislative Council to study the provisions relating to the membership of the boards of directors of nonprofit hospital service corporations, nonprofit medical service corporations, nonprofit dental service corporations and nonprofit vision service corporations.

WHEREAS, the State of North Dakota through its Legislative Assembly has demonstrated an interest in the makeup of the membership of various boards of directors of all types of corporations, both public and private, profit and nonprofit; and

WHEREAS, much of this interest is directed at the makeup of said membership as it relates to the qualifications of said members; and

WHEREAS, the State of North Dakota on behalf of its citizens has consistently indicated a desire for top quality health care and insurance coverage relating thereto; and

WHEREAS, it appears that a combined effort by state government, health care providers and the health care insurance industry may be necessary to continue to provide the people of North Dakota with top quality health care and insurance coverage relating thereto; and

WHEREAS, it would appear that a study relating to the membership of the boards of directors of nonprofit hospital service corporations, nonprofit medical service corporations, nonprofit dental service corporations and nonprofit vision service corporations would be in the public interest;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is hereby directed to carry out a study of the adequacy and equity of the present statutes as they relate to membership of the boards of directors of nonprofit

hospital service corporations, nonprofit medical service corporations, nonprofit dental service corporations and nonprofit vision service corporations, and to determine the desirability and feasibility of altering the present system, and to make such other recommendations as the results of the study may indicate are necessary; and

BE IT FURTHER RESOLVED, that Blue Cross and Blue Shield of North Dakota, their subscribers and employees are requested and directed to provide such aid, information, and assistance as the council, in conducting this study, may reasonably request, and the council shall make its findings and recommendations, if any, and be accompanied by legislation, if any, necessary to carry out such recommendations to the Forty-seventh Legislative Assembly.

Filed March 14, 1979

HOUSE CONCURRENT RESOLUTION NO. 3057
(Winkjer, Berg, Dick)

GAME AND FISH LICENSE ISSUANCE STUDY

A concurrent resolution directing the Legislative Council to study the issuance of game and fish licenses, particularly with respect to the role of county auditors in such issuance.

WHEREAS, county auditors are presently directed to issue game and fish licenses; and

WHEREAS, county auditors retain a small portion of license fees to meet administrative costs; and

WHEREAS, county auditors may designate agents to issue game and fish licenses; and

WHEREAS, each county auditor is personally liable for the receipts from each game and fish license issued in that county; and

WHEREAS, a thorough study is necessary to determine the proper role of county auditors in the issuance of game and fish licenses;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is hereby directed to conduct a study of the issuance of game and fish licenses, particularly with respect to the role of county auditors in such issuance; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation necessary to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 22, 1979

HOUSE CONCURRENT RESOLUTION NO. 3058
(Swiontek, Berger, Knudson, Schindler)

EDUCATION FINANCE STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the financing of elementary and secondary schools in the continuing effort toward the goal of providing the best possible education for the students of North Dakota.

WHEREAS, inflation, declining enrollments, and other factors continue to cause increased unit costs for schools and to complicate the delivery of educational services; and

WHEREAS, court decisions and federal legislation have focused attention on the fact that the state has an obligation to provide an equal educational opportunity for all students; and

WHEREAS, changing times have resulted in changes in educational programs and curriculums, with increased emphasis on transportation and special programs having placed a greater burden on the educational dollar; and

WHEREAS, there is a need to study the financial effect on school districts of large industrial plants, both those subject to property taxes and those subject to taxes in lieu of property taxes, including a study of deductions from foundation program payments for taxes received from such plants and other sources of tax revenue; and

WHEREAS, changes in school districts and programs in recent years, together with the fact that expenditures for schools continue to accelerate, call attention to the need for a continuing study of educational finance in North Dakota in order to assure the citizens of this state the maximum return on their investment for education;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council, with the assistance of the Superintendent of Public Instruction, is hereby directed to study the entire field of the financing of elementary and secondary schools in North Dakota, with emphasis on the foundation program,

the costs and distribution formulas for education and transportation, the effect of various tax sources on school districts, school construction costs and debt capacities, and the problems of financing special and vocational education; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3059
(Representatives Martin, Knudson, Nicholas)
(Senator Krauter)

NOXIOUS WEEDS STUDY

A concurrent resolution directing the Legislative Council to study alternative methods of providing equitable and effective means of financing eradication and control of leafy spurge, Canada thistle, and other noxious weeds.

WHEREAS, the presence of leafy spurge, Canada thistle, and other noxious weeds on extensive areas of private and governmental land in this state presents an almost insurmountable financial burden for private individuals, local political subdivisions, and the state to accomplish eradication and control; and

WHEREAS, an incentive or revenue sharing program with proper financing for eradication and control of some of the noxious weeds on private and public land would encourage landowners and local political subdivisions to eliminate the remaining noxious weeds; and

WHEREAS, there are presently no funds appropriated for statewide noxious weed control, for funding of programs for local political subdivisions, or for funding incentive programs for private landowners; and

WHEREAS, the weed control statute, Chapter 63-01.1, can provide a mechanism necessary for statewide and local eradication and control of noxious weeds in the state if proper funding is provided;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to conduct a study of alternative methods of providing equitable and efficient means of eradicating and controlling leafy spurge, Canada thistle, and other noxious weeds in this state, with specific emphasis on the economic costs of eradicating and controlling noxious weeds statewide and the economic costs of providing incentive programs or revenue sharing programs to provide funds to local political subdivisions to encourage local eradication and control and to encourage private landowners to eliminate noxious weeds. The study should consider

long-range programs necessary to eradicate and control noxious weeds. The Legislative Council shall seek the aid and assistance of federal research and land management agencies, the North Dakota Department of Agriculture, counties, other state and local governmental officials and employees, and other persons who may be of assistance in this study; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 26, 1979

HOUSE CONCURRENT RESOLUTION NO. 3060
(Representative Reed)
(Senator Vosper)
(Approved by Committee on Delayed Bills)

OFFICIAL PHOTOGRAPHER APPOINTED

A concurrent resolution to appoint an official photographer for the Forty-sixth Legislative Assembly, to set forth the photography order, and to authorize payment.

WHEREAS, for historical purposes it has been the custom of all North Dakota Legislative Assemblies to have composite group pictures made for all members of such assemblies; and

WHEREAS, Roland V. Dinger, Inc., offers to take six color proof photographs of each Senator, each Representative, the Lieutenant Governor, the Secretary of the Senate, the Assistant Secretary of the Senate, the Senate Desk Reporter, the Senate Sergeant-at-Arms, the Senate Bill Clerk, the Chief Clerk of the House, the Assistant Chief Clerk of the House, the House Desk Reporter, the House Sergeant-at-Arms, and the House Bill Clerk, and to retouch the final prints to compile a composite color picture of all Senate members and named employees, and all House members and named employees, framed and ready to hang, and individual composite photographs to be furnished to each member; all of the foregoing at a total cost of \$2,817.50;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That Roland V. Dinger, Inc., of Bismarck, North Dakota, be and is hereby appointed official photographer for the Forty-sixth Legislative Assembly of the State of North Dakota; and

BE IT FURTHER RESOLVED, that Roland V. Dinger, Inc., of Bismarck, North Dakota, is hereby awarded the sole privilege of photographing members of the Senate and the House of Representatives, the Lieutenant Governor, and the above-mentioned legislative employees of the Forty-sixth Legislative Assembly, at the total cost of \$2,817.50 to be charged as a legislative expense; and

BE IT FURTHER RESOLVED, that the photographs shall be delivered pursuant to a contract entered into between Roland V. Dinger, Inc., and the two photography committees of the Senate and House of Representatives.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3061
(Representative Unhjem)
(Senator Lips)

DEINSTITUTIONALIZATION PROGRAMS STUDY

A concurrent resolution directing the Legislative Council to conduct a study of deinstitutionalization programs for residents of the State Hospital, Grafton State School, and San Haven State Hospital.

WHEREAS, North Dakota lacks a coordinated system of public, private, and voluntary agencies to provide a full range of institutional and community services to individuals who are developmentally disabled in North Dakota; and

WHEREAS, a study should be made of present programs intended to return institutional residents to the community after the residents have been prepared through programs of rehabilitation and training to function adequately in appropriate local settings; and

WHEREAS, a review should be made of services to persons with developmental disabilities in settings as close to the individual's home community as practical within the constraints of quality of care and efficiency and economy of program operation; and

WHEREAS, constraints should be removed and incentives should be provided to encourage the development of programs and services within the institutional and community setting for return of persons with developmental disabilities to an appropriate community setting; and

WHEREAS, a review should be made of procedures to ensure continuity of care, transfer of necessary information among individual service providers, and followup of individuals with developmental disabilities moving from the institutional to the community setting;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to conduct a study of programs for deinstitutionalization of residents of the State Hospital, Grafton State School, and San Haven State Hospital. The

study is to include a review of available facilities, any requirements of licensure, problems related to federal requirements, any need for group homes, the ramification of deinstitutionalization on residents, and the impact of the lack of or provision for deinstitutionalization on the State Department of Health, Director of Institutions, and Social Service Board of North Dakota; and

BE IT FURTHER RESOLVED, that the Legislative Council consider appointing citizen members to any committee designated to conduct this study; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 22, 1979

HOUSE CONCURRENT RESOLUTION NO. 3064
(Wentz, Gerl, Meiers, Wessman)

OCCUPATIONAL BOARD MEMBERSHIP STUDY

A concurrent resolution directing the Legislative Council to study the membership of occupational and professional regulatory agencies, boards, and commissions.

WHEREAS, under North Dakota Century Code Title 43 over 38 occupations and professions are regulated by various state agencies, boards, and commissions; and

WHEREAS, under North Dakota Century Code Title 43 at least 25 separate licensing boards are statutorily authorized to regulate, in varying degrees, the occupations and professions under their jurisdiction; and

WHEREAS, at least four state agencies are involved in administering occupational and professional licensing statutes; and

WHEREAS, occupational and professional regulation may range from collection of minimal license fees to stringent control of entry into the regulated occupations and professions; and

WHEREAS, the occupational and professional regulatory boards, including state agencies which license occupational and professional activities, should consider the effects of their regulation on the public, as well as on the regulated individuals;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to conduct a study of the membership of occupational and professional licensing boards, including any advisory committees to state agencies licensing occupational and professional activities. The study should include only consideration of whether the regulatory bodies should have representatives of the public-at-large as members or as advisory entities in the case of regulation by state agencies; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to carry out its recommendations, to the Forty-seventh Legislative Assembly.

Filed March 14, 1979

HOUSE CONCURRENT RESOLUTION NO. 3068
(Strinden)

ENERGY TAX STRUCTURE STUDY

A concurrent resolution directing the Legislative Council to study the energy tax structure of the state.

WHEREAS, new technologies and new energy sources are playing and will continue to play an increasingly important role in determining the economic feasibility of the use of North Dakota's lignite coal and other natural resources; and

WHEREAS, the severance tax on coal was first enacted in 1975 on a temporary basis and was reenacted with some changes in 1977 but again on a temporary basis; and

WHEREAS, the severance tax laws which have been enacted have provided for allocations of revenue to alleviate local impact costs, to reimburse state government for additional costs incurred, and to deposit a portion in a permanent trust fund as a means to compensate for the loss of an irreplaceable resource; and

WHEREAS, the level and method of energy taxation play an important role in determining the economic feasibility of certain industries, and the tax structure can have the effect of either encouraging or discouraging certain uses of natural resources; and

WHEREAS, there is a need to determine the best energy tax structure in light of the fact that some proposed energy-related plants may not be constructed, which would materially affect long-range impacts on state and local governments; and

WHEREAS, the Legislative Assembly is in need of more information to determine the proper method of imposition and level of the coal severance tax, the coal conversion tax, and other energy-related taxes, and to determine the proper method of distributing the revenues from these taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to conduct a study of the energy tax structure of the state, including the effect on the economic feasibility of certain taxes on new industries and new technologies, the proper methods of allocating revenues derived from energy taxes, the long-range impacts of energy taxation on energy production and on state and local units of government; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3071
(Strinden)

GOVERNMENT ENERGY DEVELOPMENT EFFECTS STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the effects of energy development on state and local government.

WHEREAS, the development and production of energy from oil, gas, and lignite in western North Dakota has been of increasing importance to the people of North Dakota; and

WHEREAS, there now exists several years of experience which can be relied on for evaluation of the effect of development on the state of North Dakota and the political subdivisions directly affected; and

WHEREAS, changes in the balance between severance and conversion taxes may be desirable; and

WHEREAS, there is a need to monitor the application of the distribution formula of tax revenue between the state and local units of government; and

WHEREAS, the above can best be ascertained through a comprehensive interim study;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is hereby directed to conduct a study of:

1. The impact of energy-related revenues on state and local government.
2. The needs of local government resulting from energy development.
3. A method to project revenue needs of local government.

4. The distribution of energy development taxes during the 1979-81 biennium.

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed April 3, 1979

HOUSE CONCURRENT RESOLUTION NO. 3072
(Mushik, Koski)

STATE EMPLOYEE BENEFITS AND
POLICIES STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the compensation and fringe benefits currently made available to state employees and the personnel policies currently governing state employees.

WHEREAS, changes in fringe benefits and compensation available to state employees will make employment with this state more attractive to persons who might otherwise seek employment with other states or with the private sector; and

WHEREAS, uniformity in the fringe benefits available to employees of all state agencies and in the personnel policies governing employees of all state agencies would facilitate the transfer of employees between different agencies, which would reduce some of the costs caused by the rapid turnover of state employees; and

WHEREAS, Governor Link called for an interim study to review such inequities in fringe benefits in different state agencies in his State of the State address to the legislature;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is authorized and directed to conduct a study of the compensation and fringe benefits currently made available to state employees, including any discrepancies between the fringe benefits and personnel policies of the various agencies, to determine if any changes or adjustments therein are desirable or necessary to make employment with the state competitive with employment in the private sector and to promote uniformity among all state employees; and

BE IT FURTHER RESOLVED, that the study include an investigation of the possibility of placing all state employees under the Central Personnel Division; and

BE IT FURTHER RESOLVED, that in conducting the study the Council may consult with the State Central Personnel Division of the Department of Accounts and Purchases, the State Public Employees Retirement Board, and all recognized state employee associations; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 26, 1979

HOUSE CONCURRENT RESOLUTION NO. 3075
(Unhjem, Mushik)

**PRIVATE HIGHER EDUCATION INSTITUTION
ASSISTANCE STUDY**

A concurrent resolution directing a Legislative Council study of methods of providing assistance to private institutions of higher education in North Dakota.

WHEREAS, the private colleges in North Dakota provide educational opportunities for several hundred students; and

WHEREAS, the education of these students in private institutions serves to provide a substantial savings to the taxpayers of this state; and

WHEREAS, inflation and declining enrollments have placed severe financial strains on all institutions of higher education and particularly on private institutions; and

WHEREAS, it is in the best interests of the citizens of North Dakota to support and strengthen the private institutions of higher education in this state;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to study methods of providing support for the private institutions of higher education within the state, including some means of providing financial assistance such as a tuition equalization program, student grants, or tax incentives; and

BE IT FURTHER RESOLVED, that the Legislative Council reports its findings and recommendations, together with any legislation necessary to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 22, 1979

HOUSE CONCURRENT RESOLUTION NO. 3076
(Hoffner, Meiers, Richie, Stenehjem, Swiontek)

DWI PROBLEMS STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the problems related to persons driving while under the influence of alcohol or drugs.

WHEREAS, the abuse of alcohol and drugs contributes significantly to the number of North Dakota highway accidents and fatalities each year; and

WHEREAS, those persons who abuse alcohol or drugs and continue to drive are likely in need of medical treatment; and

WHEREAS, there is a problem under present law of consistently getting persons with alcohol and drug abuse problems from the courtroom to treatment facilities or programs where they may be helped; and

WHEREAS, a first-time offense for driving while under the influence of alcohol or drugs should require some driver education concerning the dangers involved and referral to a more extensive program if necessary, and studies have shown that nearly half of those convicted of a second offense and a large majority of those convicted of a third offense are alcohol or drug abusers and thus in need of individual evaluation and treatment; and

WHEREAS, intervention by the courts in requiring such persons to receive treatment for alcohol or drug-related problems would be an effective method by which the courts could aid in lessening an increasingly serious problem; and

WHEREAS, present practices and penalties for driving while under the influence of alcohol or drugs vary considerably from court to court; and

WHEREAS, there is likely no single solution to the problems, thus making input from the various members of the concerned public helpful to the study; and

WHEREAS, education, including early education, may be a factor in preventing alcohol and drug abuse and related traffic problems;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is authorized and directed to conduct a study of the problems related to persons driving while under the influence of alcohol or drugs; the desirability and feasibility of more uniform court intervention in requiring such persons to receive evaluation and treatment through programs and facilities; the desirability and feasibility of changing the legal penalties for committing such driving offenses and the procedures for referring persons for treatment; the penalties which may be imposed for selling alcoholic beverages to minors or to obviously intoxicated persons who are then injured or injure others; and the desirability and feasibility of expanding educational efforts concerning alcohol and drug abuse through the educational system or by other means; and

BE IT FURTHER RESOLVED, that in conducting this study, the Council shall include on its committee representatives from the Department of Public Instruction, the Traffic Safety Programs Division of the North Dakota Highway Department, the Division of Alcohol and Drug Abuse, the North Dakota Beverage Dealers Association, the Supreme Court Administrator, and the State Alcohol and Drug Advisory Council; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement its recommendations, to the Forty-seventh Legislative Assembly.

Filed March 22, 1979

HOUSE CONCURRENT RESOLUTION NO. 3077
(Mushik, Gerl, Rued)

WORKMEN'S COMPENSATION SUPPLEMENTARY BENEFITS STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the feasibility and desirability of providing supplementary benefits to workmen's compensation claimants.

WHEREAS, workmen's compensation benefits remain fixed at the level established at the time of disability; and

WHEREAS, state law presently provides no procedure to increase benefits to reflect the rising cost of living or increases in benefits paid to recently injured employees; and

WHEREAS, the 1975, 1977, and 1979 legislative sessions have considered several proposals with respect to providing supplementary benefits to claimants injured under previous benefit levels; and

WHEREAS, legislative proposals have taken various approaches to funding the supplementary benefits, including an additional premium tax on employers, a general fund appropriation, and use of reserve funds of the Workmen's Compensation Bureau; and

WHEREAS, the level of any supplementary benefits would seriously affect previously injured employees and the method of funding supplementary benefits may concern present employers;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to conduct a study of the feasibility and desirability of providing supplementary workmen's compensation benefits. The study should include the effect various supplementary benefit levels would have on claimants and the effect various methods of funding would have on present employers, the reserves of the workmen's compensation fund, or any other source of providing supplementary benefits; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 14, 1979

HOUSE CONCURRENT RESOLUTION NO. 3078
(Representatives Murphy, A. Hausauer, Maixner)
(Senators Jacobson, Redlin, Roen)

SURFACE AND MINERAL OWNERS' RIGHTS STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the relative rights of the owners of the surface and mineral estates.

WHEREAS, traditionally the mineral estate has been the dominant estate, entitling its owner to use of the surface estate if such use is necessary to develop the minerals underlying the surface; and

WHEREAS, the owner of the surface estate traditionally has borne many of the burdens but received few of the benefits associated with development of the mineral estate; and

WHEREAS, a thorough study is necessary to determine if the laws governing the relative rights of surface and mineral owners represent contemporary public policy; and

WHEREAS, a thorough study is necessary to determine whether mineral development can be accomplished with little or no harm to the surface estate; and

WHEREAS, a thorough study is necessary to determine whether the owner of the surface estate should be compensated for harm to the surface occasioned by mineral development;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is hereby directed to conduct a study of the relative rights of the owners of surface and mineral estates as those rights relate to mineral development; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, along with any legislation necessary to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3080
(Pomeroy)

RENTER INCOME TAX CREDIT STUDY

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of the North Dakota Legislative Assembly enacting legislation which would provide renters on fixed or low income an income tax credit for that portion of a renter's rent which represents real property taxes paid by the owner of the property, if the renter does not otherwise qualify for the renter's refund as provided by subsection 2 of section 57-02-08.1 of the North Dakota Century Code.

WHEREAS, the Legislative Assembly recognizes that, although inflation is a hardship on all members of society, it is particularly devastating for those members who are living on fixed or severely limited incomes; and

WHEREAS, a significant portion of rents, generally about 20 percent, are used by owners of rental property to pay for property taxes; and

WHEREAS, inflation is year after year increasing not only the value of rental property, but also the property taxes on that property and the rents increase accordingly; and

WHEREAS, in North Dakota there are many renters who are living on fixed or severely limited incomes which do not increase at a rate sufficient to match the rate of increase in that portion of their rent which represents the property taxes which have increased due to inflation; and

WHEREAS, homeowners who are not living on fixed or limited incomes generally pay about four percent or less of their income in property taxes; and

WHEREAS, a careful study should be conducted to determine the feasibility and desirability of providing an income tax credit for qualifying renters;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to conduct a study of the feasibility and desirability of the state enacting legislation which would provide a renter with an income tax credit equal to that part of the twenty percent of the renter's annual rent which exceeds four percent of the annual income of the renter multiplied by the national percentage rate of inflation as determined by the United States Department of Labor, provided that renter does not otherwise qualify for the renter's refund provisions of subsection 2 of section 57-02-08.1 of the North Dakota Century Code; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 22, 1979

HOUSE CONCURRENT RESOLUTION NO. 3081
(Swiontek, Berger, Black, Knudson, Mattson)

TEACHER'S ROLE IN EDUCATION STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the education and role of the teacher.

WHEREAS, there is growing state and national concern about the quality of education received by the youth of the country; and

WHEREAS, this concern extends beyond the current "back-to-basics" movement in education; and

WHEREAS, many teachers are electing to leave the field of education; and

WHEREAS, it is felt that with proper training and support, the teachers will be encouraged to remain in the profession and will be able to provide the quality education which people have come to expect;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to study the role of the teacher in the field of education with emphasis upon the student/teacher ratio, the qualifications, certification, and continued evaluation of teachers, in-service education of teachers, and the retention of teachers; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 22, 1979

HOUSE CONCURRENT RESOLUTION NO. 3082
(Meiers, Boyum, Maixner, Stenehjem)

GOVERNMENT OFFICER PERSONAL LIABILITY STUDY

A concurrent resolution directing the Legislative Council to study the personal liability of officers and members of boards and commissions of the state and political subdivisions.

WHEREAS, the potential personal liability of officers and members of boards and commissions of the state and all political subdivisions resulting from their official actions has dramatically increased in recent years, due to the creation of new causes of action by the legislature and Congress and the expansion of existing causes of action by the courts; and

WHEREAS, due to the fear of personal financial loss, many otherwise eligible and well-qualified individuals are not willing to serve in these important positions; and

WHEREAS, the efficient administration of government at both the state and local level requires the active participation of the most highly qualified citizens, who should be encouraged to serve their government without the threat of personal loss;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is authorized and directed to conduct an interim study of the personal liability of officers and members of boards and commissions at both the state and local level, including the costs of defending any actions brought against such persons for their official actions, and to determine what changes are necessary and desirable to reduce potential personal liability; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation necessary to implement its recommendations, to the Forty-seventh Legislative Assembly.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3083
(Strinden)
(Approved by the Committee on Delayed Bills)

OLD WEST REGIONAL COMMISSION ACTIVITY STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the Old West Regional Commission's activities which impact North Dakota.

WHEREAS, the Old West Regional Commission is established under authority of federal law; and

WHEREAS, federal law authorizes the Old West Regional Commission to enter into contracts, leases, cooperative agreements, and other transactions necessary to carry out its functions with any state or political subdivision, agency, or instrumentality thereof; and

WHEREAS, the Old West Regional Commission implements economic development programs for the five-state region with respect to health services, transportation, natural resources development, and other areas of common economic concern; and

WHEREAS, North Dakota funding of the Old West Regional Commission has steadily increased since creation of the commission in 1972;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to conduct a study of the Old West Regional Commission's activities which impact North Dakota, including a study of the effect of the commission's spending in North Dakota, the extent of that spending, and the extent of North Dakota's involvement, including financial involvement, with the commission; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 22, 1979

HOUSE CONCURRENT RESOLUTION NO. 3085
(Strinden)
(Approved by Committee on Delayed Bills)

FOUR-YEAR MEDICAL PROGRAM STUDY

A concurrent resolution directing the Legislative Council to conduct a study of the four-year medical program of the University of North Dakota Medical School.

WHEREAS, as the result of a 1971-73 Legislative Council study the University of North Dakota Medical School's medical program was extended from a two-year to a four-year program; and

WHEREAS, the four-year medical program operated by the University of North Dakota Medical School is a 2-1-1 medical education program; and

WHEREAS, under the 2-1-1 medical education program, the third year of education is provided by the University of Minnesota Medical School and the fourth year is provided in four area health education centers located in Grand Forks, Fargo, Minot, and Bismarck; and

WHEREAS, the 1977 Legislative Assembly expressed its intent that the medical education program be financed in conjunction with the private sector, including area health education centers, private clinics and hospitals, federal health care facilities, grants, individual physicians and surgeons, and other health care and allied health care institutions; and

WHEREAS, a legislative review should be conducted to determine the efficacy of the four-year medical program;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to conduct a study of the four-year medical program of the University of North Dakota Medical School. The study should include a review of the operation of the program and the program's efficacy in addressing problems sought to be answered by the original four-year medical school concept; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 22, 1979

HOUSE CONCURRENT RESOLUTION NO. 3086
(Representatives Erickson, Rued, Scofield)
(Senator Solberg)
(Approved by Committee on Delayed Bills)

CONTROLLED VISUAL FLIGHT RULES ABANDONMENT URGED

A concurrent resolution urging the Federal Aviation Administration to abandon the proposed "controlled visual flight" rules.

WHEREAS, the Federal Aviation Administration has announced an extensive program designed to provide increased air traffic control (ATC) separation protection for air carrier, commuter airlines, and general aviation passengers which would include lowering the "floor" of the continental positive control area (PCA) from 18,000 feet to 10,000 feet east of the Mississippi River and over a portion of the state of California and 12,500 feet west of the Mississippi River and over the remaining portion of California; and

WHEREAS, this would require VFR pilots operating between this lowered floor and 18,000 feet to file flight plans, obtain authorization to enter the PCA, adhere to controller instructions, comply with ATC instructions and have the equipment now required for operation in a Group I TCA, including transponder and encoding altimeter, all of which would increase general aviation costs and which are not really needed; and

WHEREAS, the plan, if fully implemented, will radically restructure United States air space with the most massive and damaging shrinkage of uncontrolled VFR air space in the history of United States aviation effectively eliminating VFR pilot use in the area between 10,000/12,500 and 18,000 feet unless the new requirements are met; and

WHEREAS, this program will adversely affect general aviation and is being fostered in apparent disregard of the importance of general aviation to the national interest and the interest of the people of North Dakota; and

WHEREAS, general aviation plays a very important part in the total transportation picture of this state and of the United States;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Federal Aviation Administration abandon the program (proposed "controlled visual flight" rules, 44 Federal Register 1322-33, January 4, 1979) as being adverse to general aviation and to the national interest and the interest of the people of North Dakota; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Federal Aviation Administration for inclusion in the record of its proceedings relating to the proposed "controlled visual flight" rules, and to the North Dakota Congressional Delegation.

Filed March 5, 1979

HOUSE CONCURRENT RESOLUTION NO. 3087
(Tweten, Kingsbury, Murphy)
(Approved by Committee on Delayed Bills)

21-MILL COUNTY LEVY STUDY

A concurrent resolution directing a Legislative Council study of the feasibility of eliminating the 21-mill county levy for schools and substituting either a state-collected tax or any other suitable alternative.

WHEREAS, attention has been focused on the need for the Legislative Assembly to maintain a continuing study of the financing of elementary and secondary education; and

WHEREAS, there is concern about the fairness of the 21-mill county levy which is currently an integral part of the state foundation program for schools; and

WHEREAS, alternative methods of financing education might prove to be more equitable to the citizens of this state; and

WHEREAS, one such method might be the imposition of a state-collected tax to cover money lost by eliminating the 21-mill levy;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is directed to study the feasibility of repealing the 21-mill county levy for schools and replacing it with a state-collected tax or any other suitable alternative; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 22, 1979

HOUSE CONCURRENT RESOLUTION NO. 3089
(Representatives F. Larson, Berge)
(Senator Strinden)
(Approved by Committee on Delayed Bills)

VALLEY CITY STATE COLLEGE ATHLETIC
DIRECTOR CONGRATULATED

A concurrent resolution congratulating Willis "Bill" Osmon, the Valley City State College athletic director, on being named to the National Association of Intercollegiate Athletics Hall of Fame.

WHEREAS, he has coached at Valley City State College for 31 years; and

WHEREAS, he began as a basketball and track coach in 1947 and became athletic director in 1948, winning nine conference basketball championships, eleven golf titles, and two track titles; and

WHEREAS, he has been the National Association of Intercollegiate Athletics (NAIA) District 12 chairman for 20 years; and

WHEREAS, he has been selected to receive the Meritorious Service Award, being named to the NAIA Hall of Fame, and will be honored at an NAIA Hall of Fame luncheon on Thursday, March 15, 1979, in Kansas City, Missouri; and

WHEREAS, to date (since 1952) only 27 such awards have been given, and he is one of only six in the nation receiving this award in 1979; and

WHEREAS, March 15, 1979, has been declared Bill Osmon Day in his honor;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-sixth Legislative Assembly extends its congratulations to Bill Osmon on being selected to receive the Meritorious Service Award and being named to the NAIA Hall of Fame; and

BE IT FURTHER RESOLVED, that enrolled copies of this resolution be sent to Bill Osmon and to Valley City State College.

Filed March 19, 1979

HOUSE CONCURRENT RESOLUTION NO. 3090
(Committee on Employment)
(Approved by Committee on Delayed Bills)

RETENTION OF LEGISLATIVE EMPLOYEES

A concurrent resolution authorizing the retention of certain employees of the House and Senate and providing supervisory authority, to allow for the completion of legislative work after the close of the Session.

WHEREAS, it is necessary to complete and close all legislative work; and

WHEREAS, in order to complete and close all current legislative work of the Forty-sixth Legislative Assembly, it is necessary to retain certain employees;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the following named positions may be retained by the House of Representatives and the Senate after the close of the Session:

HOUSE POSITIONS

Chief Clerk
Assistant Chief Clerk
Desk Reporter
Bill Clerk
Chief Stenographer and Payroll Clerk
Secretary to the Speaker
Secretary to the Majority Floor Leader
Secretary to the Minority Floor Leader
Sergeant-at-Arms
Deputy Sergeant-at-Arms
Assistant Sergeant-at-Arms
Appropriations Committee Clerk
Chief Committee Clerk
Committee Clerks
Chief Journal and Bill Room Clerk
Bill Room Clerk
Chief Page
Pages

Desk Pages
Journal Proofreaders

SENATE POSITIONS

Secretary to the Senate
Assistant Secretary to the Senate
Desk Reporter
Bill Clerk
Chief Stenographer and Payroll Clerk
Secretary to Majority Floor Leader
Secretary to Minority Floor Leader
Sergeant-at-Arms
Assistant Sergeant-at-Arms
Chief Telephone Clerk
Appropriations Committee Clerk
Assistant Appropriations Committee Clerk
Chief Committee Clerk
Committee Clerks
Journal Room Clerk
Chief Page
Pages
Desk Pages
Journal Proofreaders

BE IT FURTHER RESOLVED, that the above-listed House and Senate employees shall serve at the request of, and under the supervision of, the Chief Clerk of the House, and the Secretary of the Senate, and that all of the listed employees, including the Chief Clerk of the House, and the Secretary of the Senate, shall be employed for not more than 200 man-days in the aggregate. The Secretary of the Senate shall assign work among the available Senate employees in the appropriate manner. The Chief Clerk of the House shall assign work among the available House employees in the appropriate manner. It is the duty of the Chief Clerk of the House and the Secretary of the Senate to coordinate the work assignments in both houses in such a manner that the total number of man-days do not exceed the man-days limits herein. The Secretary of the Senate and the Chief Clerk of the House shall minimize the days allocated to the extent consistent with the completion of legislative work; and

BE IT FURTHER RESOLVED, that the employees in the above-named positions be paid their regular rates of pay as specified in House Concurrent Resolution No. 3014, and all of the above expenses are to be paid out of the appropriation to the Forty-sixth and Forty-seventh Legislative Assemblies and paid at the completion of said work providing that payment shall not be authorized for more than the 200 man-days in the aggregate.

Filed March 28, 1979

HOUSE CONCURRENT RESOLUTION NO. 3091
(Representatives Retzer, Strinden)
(Senator Nething)
(Approved by Committee on Delayed Bills)

LEGISLATIVE POLICY ON GARRISON DIVERSION

A concurrent resolution setting forth legislative policy that the use of federal appropriations for purposes of fish and wildlife land acquisitions in connection with the Garrison Diversion Unit should be limited to purchases from only willing sellers, urging the Secretary of the Interior to establish a policy of crediting existing federal and state-owned land toward fish and wildlife mitigation and enhancement requirements, supporting the Governor's wetland policy, and urging development by the Fish and Wildlife Service of a plan for acquisition of Garrison wildlife areas for purposes of mitigation and enhancement consistent with the policies established by the statutory and contract agreements between the United States and the State of North Dakota.

WHEREAS, the Congress of the United States authorized the dedication of 146,530 acres of private and public land for the mitigation and enhancement of fish and wildlife for purposes of the Garrison Diversion Unit; and

WHEREAS, the authorized plan and master contract of the Garrison Diversion Unit identify the land areas proposed for fish and wildlife development; and

WHEREAS, the State of North Dakota has dedicated approximately 84,000 acres of public land to the mitigation and enhancement of recreation, fish and wildlife for purposes of meeting obligations toward the construction of the Garrison Diversion Unit; and

WHEREAS, the authorized plan of the Garrison Diversion Unit recognizes and credits toward the mitigation and enhancement of fish and wildlife approximately 30,000 acres of principal supply works land area; and

WHEREAS, the Fish and Wildlife Service effectively controls by easement and fee title approximately five million acres of land in North Dakota; and

WHEREAS, the Fish and Wildlife Service has failed to present to the state a formal plan for the continuing development of these authorized and identified land areas; and

WHEREAS, the Fish and Wildlife Service has proposed a new "concept" of acquiring productive cropland, which includes the restoration of drained wetlands; and

WHEREAS, the present philosophy of the Fish and Wildlife Service is to exclude project supply works, Devils Lake bed area and other state and federal-owned lands from credit toward the 146,530 acre wildlife area requirement; and

WHEREAS, the present philosophy of the Fish and Wildlife Service would result in a total net gain in wildlife habitat in excess of that authorized by the Congress for purposes of the Garrison Diversion Unit; and

WHEREAS, productive agricultural lands are being rapidly depleted by nonagricultural land use development; and

WHEREAS, domestic and world food demands are increasing; and

WHEREAS, Article 22 of the Master Contract requires that the development of recreation, fish and wildlife areas shall proceed concurrently and at the same rate as irrigation development; and

WHEREAS, the Report of the International Joint Commission recommends that land acquisition for mitigation of wildlife habitat losses parallel development of the Garrison Diversion Unit; and

WHEREAS, the future construction schedule for completion of the Garrison Diversion Unit exceeds 20 years; and

WHEREAS, vague proposals and concepts publicized by the Fish and Wildlife Service have resulted in creating uncertainty and confusion among landowners; and

WHEREAS, federal appropriations should be used for remaining mitigation and enhancement acquisitions only from willing sellers and condemnation should not be used by the federal government; and

WHEREAS, Governor Arthur A. Link, on April 25, 1978, established a policy requiring that state approval of future federal easement and fee land acquisitions for waterfowl production and wildlife refuge purposes be conditioned upon full credit being given toward satisfaction of mitigation and enhancement requirements of the Garrison Diversion Unit and that title to all lands hereafter acquired with federal duck stamp funds be automatically transferred to the State of North Dakota if the Garrison Diversion Unit is not substantially constructed by a date certain; and

WHEREAS, the direct federal financial investment in the Garrison Diversion Unit presently exceeds \$170 million; and

WHEREAS, the direct state financial investment in the Garrison Diversion Unit presently exceeds \$13 million; and

WHEREAS, 85 percent of the state annual income is derived from the union of land and water resources resulting in agricultural production; and

WHEREAS, the annual agricultural economic loss due to Missouri River Flood Control Act reservoir construction in North Dakota exceeds \$93 million in gross business volume; and

WHEREAS, the annual economic agricultural loss caused by delay in the construction of the Garrison Diversion Unit exceeds \$81 million in gross business volume; and

WHEREAS, the Thirty-first Legislative Assembly in creating the Missouri-Souris Conservancy District (S.L. 1949, Chapter 347) declared that the establishment and construction of the Garrison Diversion Unit as approved by the Congress in 1944 is necessary for the future economic welfare and prosperity of the people of this state; and

WHEREAS, the Thirty-fourth Legislative Assembly in creating the Garrison Diversion Conservancy District (S.L. 1955, Chapter 348) reaffirmed the necessity of the Garrison Diversion Unit; and

WHEREAS, each succeeding Legislative Assembly by resolution has affirmed the necessity of the Garrison Diversion Unit;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That it is the policy of the Forty-sixth Legislative Assembly that federal congressional appropriations should be used for remaining mitigation and enhancement acquisition purchases for purposes of fish and wildlife only from willing sellers and that condemnation should not be used by the federal government; and

BE IT FURTHER RESOLVED, that it is the policy of the Forty-sixth Legislative Assembly that satisfaction of the authorized dedication of 146,530 acres to wildlife mitigation and enhancement is to be accomplished by the maximum acceptance and credit of existing federal and state-owned public lands, which includes project supply works right of way, dedicated Devils Lake bed area lands and other recreation, fish and wildlife areas; and

BE IT FURTHER RESOLVED, that the Forty-sixth Legislative Assembly supports the wetland acquisition policy established by Governor Arthur A. Link effective since April 25, 1978; and

BE IT FURTHER RESOLVED, that the Forty-sixth Legislative Assembly recognizes the Garrison Master Contract as a legally binding agreement between the State of North Dakota and the United States and urges the Secretary of the Interior to give respect to

its provisions regarding the acquisition of fish and wildlife areas; and

BE IT FURTHER RESOLVED, that the Forty-sixth Legislative Assembly urges the Secretary of the Interior to direct the Fish and Wildlife Service to present to the board of directors of the Garrison Diversion Conservancy District for their review and approval as soon as possible a detailed formal plan for the continuing development, concurrent with irrigation development, of the fish and wildlife land areas identified in the Garrison Diversion Unit Plan (House Document 325, as supplemented February 1965) authorized and approved by the United States Congress (Pub. L. 89-108, August 5, 1965) and as further agreed to and required by the Master Contract (January 26, 1966); and

BE IT FURTHER RESOLVED, that if a detailed formal fish and wildlife mitigation and enhancement plan is not presented to the Garrison District board of directors within a reasonable period of time and is not presented in conformity with or as required by statutory authorization and the Master Contract, the Attorney General of the State of North Dakota is urged to obtain the formal fish and wildlife plan and all information relating to the development of such plan pursuant to the federal Freedom of Information Act, 5 U.S.C. 552 and any other appropriate legal remedy; and

BE IT FURTHER RESOLVED, that the Forty-sixth Legislative Assembly urges the Secretary of the Interior to direct that the Fish and Wildlife Service identify by legal description the land now owned and controlled in North Dakota by means of federal easement, fee title, or otherwise for purposes of wildlife habitat, migratory waterfowl production, or other wildlife uses by giving total acreages in each county; and

BE IT FURTHER RESOLVED, that the Forty-sixth Legislative Assembly urges the Secretary of the Interior to direct that the Fish and Wildlife Service identify the alternate land use capability of Fish and Wildlife Service lands owned and controlled in the state, all funds available for future acquisition of additional land for fish and wildlife purposes, the criteria used in identifying lands suitable for wildlife habitat by relating such criteria to current or potential agricultural use of the land and to identify the ultimate goal in acres that the Fish and Wildlife Service desires to acquire for purposes of wildlife habitat in the State of North Dakota; and

BE IT FURTHER RESOLVED, that the Forty-sixth Legislative Assembly finds that resulting annual economic losses due to Missouri River reservoirs and construction delays in the Garrison Diversion Unit requires the continued development of the Garrison Diversion Unit for the beneficial use of the waters of this state for irrigation, domestic, municipal, industrial, recreation, fish and wildlife purposes; and

BE IT FURTHER RESOLVED, that the Forty-sixth Legislative Assembly finds that the present philosophy of the Fish and Wildlife Service of purchasing highly productive agricultural land for purposes of wildlife habitat is contrary to the public interest of the citizens of this state; and

BE IT FURTHER RESOLVED, that the Forty-sixth Legislative Assembly urges accommodation of wildlife needs and interests with human needs and interests by the continued development of land and water resources for the greatest beneficial use of mankind; and

BE IT FURTHER RESOLVED, that the Forty-sixth Legislative Assembly requests the Secretary of State to forward copies of this resolution to President Jimmy Carter; Honorable Thomas P. O'Neill, Speaker, United States House of Representatives; Honorable Walter Mondale, President of the United States Senate; the North Dakota Congressional Delegation; Secretary of the Interior Cecil D. Andrus; and Governor Arthur A. Link.

Filed April 3, 1979

HOUSE CONCURRENT RESOLUTION NO. 3092
(Kelly, Conmy, Kretschmar, Wentz) .
(Approved by Committee on Delayed Bills)

PUBLIC FACILITY HANDICAPPED ACCESSIBILITY STUDY

A concurrent resolution directing an interim study by the Legislative Council of the implementation of laws requiring public buildings and facilities to be accessible and usable by the physically handicapped.

WHEREAS, Section 48-02-19 of the North Dakota Century Code requires all public buildings and facilities constructed, in whole or in part, from funds of the state or of political subdivisions to be accessible to, and usable by, the physically handicapped; and

WHEREAS, the costs for making public buildings and facilities accessible to the physically handicapped are substantial; and

WHEREAS, there is some question as to the necessity of making all public buildings and facilities accessible to, and usable by, the physically handicapped; and

WHEREAS, although the state has a substantial interest in making public buildings and facilities accessible to, and usable by, the physically handicapped, the costs and requirements involved demand that further consideration be given to the implementation of a program to accomplish this goal;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council is hereby directed and authorized to conduct a study of the state and federal laws requiring public buildings and facilities to be accessible to, and usable by, the physically handicapped and the requirements for and costs of implementation of the laws requiring public buildings and facilities constructed, in whole or in part, from funds of the state or of its political subdivisions, to be accessible to, and usable by, the physically handicapped in accordance with state and federal laws; and

BE IT FURTHER RESOLVED, that the Legislative Council shall seek the aid and assistance of the state construction

superintendent, the state board of architecture, and other state and local government officials, employees, and other persons who may be of assistance in this study; and

BE IT FURTHER RESOLVED, that the Legislative Council shall report its findings and recommendations, together with any legislation required to carry out the recommendations, to the Forty-seventh Legislative Assembly.

Filed March 28, 1979

HOUSE CONCURRENT RESOLUTION NO. 3093
(Peltier)
(Approved by Committee on Delayed Bills)

**OUTSTANDING YOUNG FARMER
CONGRATULATED**

A concurrent resolution congratulating Robert G. Thompson on being named one of the nation's four outstanding young farmers for 1978-79 by the United States Jaycees.

WHEREAS, he began farming in partnership with his brothers after earning his master's degree in agricultural economics and math from North Dakota State University and now farms 2,957 acres, sunflowers and corn being his primary crops; and

WHEREAS, pivotal irrigation systems, a crop expansion program, and conservation practices highlight his farm; and

WHEREAS, he was one of four men chosen from a field of 43 state winners and was honored at the 23rd Annual Outstanding Young Farmers Awards Congress, February 25, 1979, in Burlington, Vermont;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-sixth Legislative Assembly of the State of North Dakota extends its very sincere and hearty congratulations to Robert G. Thompson, Page, North Dakota, on being named one of the nation's four outstanding young farmers for 1978-79 by the United States Jaycees; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to Robert G. Thompson and to the Page Jaycees.

Filed March 23, 1979

HOUSE CONCURRENT RESOLUTION NO. 3094
(Representatives Scofield, I. Jacobson, Winkjer)
(Senators Wenstrom, Rait)
(Approved by Committee on Delayed Bills)

UND-WILLISTON WOMEN'S BASKETBALL TEAM CONGRATULATED

A concurrent resolution congratulating the UND-Williston women's basketball team and their coach, Ms. Penny Johnson, for placing third in the National Junior College women's basketball tournament.

WHEREAS, the UND-Williston women's basketball team, known as the Tetons, placed third in the National Junior College women's basketball tournament in Overland Park, Kansas, by defeating the Broward Junior College women's basketball team; and

WHEREAS, the Tetons ended their season with a 28-4 record and set a tournament scoring record with 414 points for the five games played; and

WHEREAS, two of the Teton's team members were named to the 10-member all tournament squad;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-sixth Legislative Assembly extends sincere congratulations to the UND-Williston women's basketball team and its individual members; Jean Roise, Carol Gatzke, Sandra Gunlikson, Lori Sandaker, Shelly Hughes, Janet Thompson, Debby Syverson, Denise Forbregd, Debra Sax, Shirley Dreyer, Mary Anderson, and Laurel Forsberg, manager; and

BE IT FURTHER RESOLVED, that the Forty-sixth Legislative Assembly also extends its sincere congratulations to the coach of the UND-Williston women's basketball team, Ms. Penny Johnson; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the Tetons and their coach, in care of the Women's Athletic Department, UND-Williston, in Williston, North Dakota.

Filed March 29, 1979

HOUSE CONCURRENT RESOLUTION NO. 3095
(Langley)
(Approved by Committee on Delayed Bills)

FORT TOTTEN HISTORIC SITE DESIGNATION URGED

A concurrent resolution urging the United States Congress to designate Fort Totten as a national historic site.

WHEREAS, Fort Totten, which is located approximately 12 miles southwest of Devils Lake, North Dakota, on the south shore of Devils Lake on the Fort Totten Indian Reservation, was established by General Alfred H. Terry on July 17, 1867, to help protect an overland route extending from southwestern Minnesota to western Montana and served as a U.S. Army installation until it was abandoned on November 18, 1890; and

WHEREAS, the Fort Totten State Historic Site, administered by the State Historical Society of North Dakota, is one of the most well preserved military posts representing the period of the Indian wars west of the Mississippi River; and

WHEREAS, it is critical that renovation of the original buildings of Fort Totten be undertaken in the near future before any major building losses occur; and

WHEREAS, the renovation is a project that is currently beyond the financial resources of the State of North Dakota; and

WHEREAS, various subcommittees of the Budget Section of the Legislative Council, the North Dakota State Historical Society, and the Forty-fifth Legislative Assembly have all gone on record urging the federal government to provide funding for the Fort Totten Site;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-sixth Legislative Assembly of North Dakota hereby urges the Congress of the United States to designate Fort Totten as a national historic site to be eligible to receive federal funding for purposes of renovation; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the Secretary of the Interior, the director of the National Park Service, the chairmen of the Senate and House Committees on the Interior, and the North Dakota Congressional Delegation.

Filed March 28, 1979

HOUSE CONCURRENT RESOLUTION NO. 3096
(Representatives Strinden, Kuchera)
(Senator Goodman)
(Approved by Committee on Delayed Bills)

WORLD JUNIOR CURLING CHAMPIONSHIP RINK CONGRATULATED

A concurrent resolution congratulating the Barcome rink of Grand Forks on winning the World Junior Curling Championship.

WHEREAS, the Barcome rink made its second appearance in the World Junior Curling Championships at Moose Jaw, Saskatchewan; and

WHEREAS, the Barcome rink earlier won the United States curling title; and

WHEREAS, the Barcome rink reached the final round in the 10-nation tourney by compiling a 7-2 record in round robin competition leading to the finals; and

WHEREAS, the Barcome rink clinched the world championship with a 6-4 victory over Scotland in the title game at the Moose Jaw Civic Center;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-sixth Legislative Assembly extends its heartiest congratulations to the Barcome rink of Grand Forks, whose members are Don Barcome, Jr., Randy Darling, Bobbie Stalker, and Earl Barcome, and their coach Dr. Don Barcome, for winning the World Junior Curling Championships for the United States for the first time; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the members of the Barcome rink and their coach and to the mayor of the city of Grand Forks.

Filed March 28, 1979